23 April 2010

MEMORANDUM FOR RECORD

SUBJECT: AR 15-6 Investigation Into Post Operation Activities on (b)(1)1.4a on 12 February 2010 in Gardez District, Paktya Province

1. (U) Purpose of Investigation: The purpose of this investigation is to determine, first, whether the ground force deliberately misled their higher headquarters in initial reports regarding the incident; and second, whether the ground force attempted to hide the circumstances surrounding the casualties by altering, tampering with, and/or cleaning up the incident scene.

2. (U) Note. After weighing the potential benefits of visiting the scene of the incident, such as being able to see the locations of the shooter, layout of the courtyard/entrance to Room 1A/interior of Room 1A, speaking with witnesses who could describe what they saw in context, etc., against the drawbacks, such as re-awakening emotional and political turmoil which had, at the least, abated somewhat since the operation, I determined the amount of information that could be useful to this information was not worth the cost. Therefore, I decided against a visit to the scene of the incident, instead asking the family members to travel to the PRT in Paktya to meet with us.

3. (U) Participants:

a.
b. (b)(3), (b)(6)
c.
d.

4. (U) Facts:

(b)(1)1.4a, (b)(5)

2) (U) The target compound belonged to (b)(6) (b)(6) Several members (b)(6) (b)(6) extended family lived in the compound, including Daoud. (Exhibit 1, Tab 11)

3) (U) On 11 February 2010, Mohammad Daoud was having a party in his compound to celebrate the birth of his grandson. (Exhibit 1, Tab 11)

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(b)(1)1.4a, (b)(1)1.4c

6) (U) Two individuals, Abdul Ghafar, Daoud's son and the father of the son whose birth was being celebrated, and the guitarist from the party, came to the gate within the target compound and noticed individuals (the assault force) outside of the compound. (Exhibit 1, Tab 11 and Exhibit 2x)

7) (U) Abdul Ghafar returned to the room where the party was being held in Room 35 and said that there were individuals outside. (Exhibit 1, Tab 11 and Exhibit 2x)

8) (U) Mohammad Daoud told his guests to stay inside the room, exited Building 35, went to Building 34, and came out into the courtyard with an AK-47. (Exhibit 1, Tab 11 and Exhibit 2x)

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

(b)(1)1.4a

11) (U) Shortly after Daoud was shot, several people from the compound went into the courtyard and took him into Room 1A. (Exhibit 1, Tab 11 and 12 and Exhibits 2h, 2w, and 2x)

12) (U) After Daoud was removed from the courtyard, several individuals moved around the courtyard and in and out of Room 1A, despite the continuation of the tactical callout and members of the assault force yelling down for them to stop moving. (Exhibit 1, Tab 11 and Exhibits 2h, 2k, and 3g)

13) (U) There was a blanket covering at least part of the doorway to Room 1A at one point in the evening. (Exhibits 2e, 2k, 2y, 2aa, and 3i)

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14) (U) Daoud's brother, Zahir, an attorney for the Ahmad Abad district, exited the door to Room 1A with an AK-47 and crouched and aimed the weapon at two assault force members on the roof approximately 25 meters away. (Exhibit 1, Tab 11 and Exhibits 2e, 2h, 2k, and 3i)

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

19) (U) Zahir fell back into Room 1A after he was engaged, and the door was quickly closed by someone in Room 1A. (Exhibit 1, Tab 11 and Exhibit 2k)

(b)(1)1.4a

b. (U) Clearing the Objective

(b)(1)1.4a

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(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

9) (U) It was difficult to collect evidence and assess the bodies because of the number of people in the compound and in Room 1A. (Exhibit 1, Tab 11 and Exhibits 2m, 2n, 2p, 3k, 3l)

(b)(1)1.4a, (b)(6)

e. (U) Investigations

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

2) (U) The MPs saw BG Destigeer's investigators collect brass casings from the rooftop, dig into bullet holes in Room 1A and dig into an apparent bullet hole on the outside of Room 8A. (Exhibits 2n and 2s)

3) (U) BG Destigeer's investigator, (b)(6) and other family members continued to prepare the bodies for burial. (Exhibits 2l and 2t)

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

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(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

8) (U) The ANP Chief for Paktya Province, BG Wardak, also arrived at the scene at this time. (Exhibit 1, Tab 11 and Exhibit 2p)

9) (U) No member of the US forces saw a local doctor examine the bodies of the women. (Exhibits 2c, 2d, 2e, 2f, 2h, 2i, 2j, 2k, 2l, 2m, 2n, 2p, 2q, and 2r)

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

f. (U) Information Operations

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

2) (U) While the assault force was still on the objective, ISAF issued a press release stating that Coalition Forces had found the bodies of three dead women "bound and gagged" on the objective. This press release was never coordinated (b)(1)1.4a prior to its release. (Exhibit 1, Tab 15)

3) (U) Shortly after U.S. forces left the compound, ISAF issued a second press release stating that Coalition Forces had found the bodies of two dead women bound and gagged and had found two men dead on the objective. (Exhibit 1, Tab 15)

(b)(1)1.4a

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5) (U) In newspaper articles covering the operation, an anonymous NATO official was quoted as saying that the killing resembled an "honor killing." (Exhibit 1, Tab 15)

5. (U) Findings:

Question A. (U) *What are the facts and circumstances surrounding the post-operation events on the objective by the ground force, to include reporting to higher headquarters?*

(b)(1)1.4a, (b)(1)1.4c, (b)(3), (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

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(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

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Question B: (U) *What actions did U.S. servicemembers take when assessing the scene? Did U.S. servicemembers seal off the objective area, and if so, how long? Who, if **anyone**, from outside the ground force was allowed inside the objective area during this period?*

1) ~~(S)~~ (b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

Question C. (U) *Did anyone attempt to or succeed in removing bullets from the walls in the home where the civilians were killed, and if so, why?*

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

Question D. (U) *Did anyone attempt to or succeed in removing bullets from the bodies of any of the five casualties and, if so, why? Did anyone attempt to or succeed in cleaning up or altering the bodies of any of the five casualties, and if so, why?*

(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(F)

2) (U) The claim that assault forces removed bullets from bodies comes from family members of the individuals killed. It is not clear what they saw that might have led them to make this claim, but certainly the assault forces, the MPs, the LEPs, and the (b)(6)

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examined the women's bodies. The Afghan investigation reports that an American bullet was found in the body of one of the dead women, but it does not say how that bullet was found or who removed it from the woman. There is no evidence to support that bullets were removed from the bodies by anyone associated with U.S. Forces.

3) (U) The pictures taken of the bodies immediately upon their discovery show the bodies in the same condition that the pictures taken later in the morning by (b)(6) (b)(6) do. The wounds look the same, the bodies are no cleaner than they were initially.

4) (U) When the assault force entered the room, the women's bodies had already been altered in that they were moved onto their backs and the majority of them were prepared for burial with cloth wrappings around their head and toes. There is nothing to suggest that the assault forces or other U.S. forces cleaned or altered the bodies of the five casualties beyond the manipulation needed for investigation. The pictures taken by the BHO element show that the bodies had been manipulated after the pictures by the assault forces were taken. Clothes were lifted, bodies were rolled over in order to find the wounds and determine the cause of death. However, there is no evidence that the bodies were altered or cleaned in any way in order to conceal the cause of their death.

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

Question E. (U) *Did anyone attempt to hide the cause of death of the casualties?*

1) (U) All evidence shows that the assault forces were unaware that they might have killed these women. They spent their time trying to determine the cause and timing of these women's death. Once these women were discovered, the focus of the assault force became determining the cause of their death. The Ground Force Commander's explanation of the women's death was not an attempt to hide the cause of death, but was his honest assessment, resulting from an unfamiliar and confusing scene.

(b)(1)1.4a

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(b)(1)1.4a

Question F. (U) *Did anyone alter, clean, or otherwise tamper with the scene in any way following the operation, and if so, why?*

(b)(1)1.4a, (b)(6)

Question G. (U) *Did the ground force follow the proper unit standard operating procedures or policies for sensitive site exploitation or Battle Damage Assessment? If not, how did their actions vary from the SOP?*

(b)(1)1.4a, (b)(5), (b)(6)

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(b)(1)1.4a, (b)(5), (b)(6)

Question H. (U) *Any other matters pertaining to this incident that you deem relevant to the scope of this investigation.*

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

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(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

2) (U) This investigation attempts to answer the questions asked by GEN McChrystal and to address the allegations made by the Afghan officials in their brief on the MOI's investigation. Of note, the most serious of the allegations made in the briefing are not found in their written investigation. The discrepancies include: 1) the brief included pictures of Daoud that purported to show that Daoud was shot in the back and that his body was washed, but the investigation itself excludes any mention of this fact or any pictures of Daoud's wounds; 2) the brief also included claims that Daoud did not have a weapon when he was killed, but this fact was not in the investigation; 3) the brief included claims that the bodies, walls, and floors were washed by the assault force before the Afghans arrived in an effort to cover something up, but nothing in the Afghan investigation supports this claim; 4) the brief included claims that money had been stolen from the home, but the investigation did not make this allegation, although the investigation did recommend returning all "robbed cash;" 5) the brief also included the claim that sealing off the compound allowed these people to die, but nothing in the written investigation states this; and 6) in the MOI brief, LTG Yarmand stated that the assault force should have known that ANP lived in the compound based on the ANP vehicle in the yard, but this was not in the written investigation. Beyond the brief, further claims of assault forces removing bullets from the bodies have been made in newspaper accounts that are not found in the Afghan investigation either.

(b)(1)1.4a, (b)(6)

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(b)(1)1.4a, (b)(6)

6. (U) Recommendations:

a. (U) The primary recommendation resulting from this investigation is that no member of the assault force receives disciplinary action beyond that recommended in the initial investigation. This investigation found no attempt to hide or cover up the circumstances of the local national women's deaths.

(b)(1)1.4a, (b)(6)

d. (U) Additionally, it is clear that U.S. forces cannot always share operational information

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with local ANP leaders out of fear of corruption or compromising the operation. In circumstances where units have developed a level of trust with their ANP partners, coordination before an operation may not only allow ANP participation, as directed by the Night Raid Tactical Directive, but also may prevent situations like this if the ANP recognizes the target house as belonging to a high ranking ANP officer.

(b)(1)1.4a, (b)(6)

7. Points of Contact:

a.
b.
c.
d.

(b)(3), (b)(6)

(VoNIP)

(b)(3), (b)(6)

Investigating Officer

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HEADQUARTERS
UNITED STATES FORCES - AFGHANISTAN
KABUL, AFGHANISTAN
APO AE 09356

USFOR-A-CDR 7 April 2010

MEMORANDUM FOR (b)(3), (b)(6) to USFOR-A, Kabul, Afghanistan

SUBJECT: Appointment Order - Investigating Officer Pursuant to Army Regulation (AR) 15-6, *Procedures for Investigation Officers and Boards of Officers*, 2 October 2006

1. REFERENCES:

a. AR 15-6, (*Procedures for Investigating Officers and Boards of Officers*), 2 Oct 2006;
b. Guide for AR 15-6 Investigating Officers;
c. Uniform Code of Military Justice, 2008;
d. Department of the Army (DA) Form 3881, Rights Warning Advisement; and
e. DA Form 2823, Sworn Statement (with Privacy Act Statement).

2. (b)(3), (b)(6), (b)(7) having been made available to the Commander, USFOR-A, by MARCENT to support this USFOR-A investigation, you are hereby appointed as an investigating officer pursuant to AR 15-6, Chapter 3, *Procedures for Investigating Officers and Boards of Officers*, to conduct an informal investigation related to a civilian casualty incident by (b)(1)1.4a on 12 February 2010 in Gardez District, Paktiya Province. (b)(1)1.4a has previously investigated the operation and the events surrounding the civilian casualties. Your investigation will focus on two issues: first, whether the ground force deliberately misled their higher headquarters in initial reports regarding the incident; and second, whether the ground force attempted to hide the circumstances surrounding the casualties by altering, tampering with, and/or cleaning up the incident scene. This investigation is your primary mission until you tender your completed findings and recommendations to the commander, no later than 15 days from the date you receive this order. Your appointment remains in effect until the investigation is completed and no further investigation is required, unless released sooner by the appointing authority.

3. As noted above, your investigation will focus on the events on the objective immediately following the operation. Your investigation will address the following matters using a question and answer format in your findings:

a. The facts and circumstances surrounding the post-operation events on the objective by the ground force, to include reporting to higher headquarters;

b. What actions did U.S. service members take when assessing the scene? Did U.S. service members seal off the objective area, and if so, how long? Who, if anyone, from outside the ground force was allowed inside the objective area during this period?

c. Did anyone attempt to or succeed in removing bullets from the walls in the home where the civilians were killed, and if so, why?

d. Did anyone attempt to or succeed in removing bullets from the bodies of any of the five casualties, and if so, why? Did anyone attempt to or succeed in cleaning up or altering the bodies of any of the five casualties, and if so, why?

e. Did anyone attempt to hide the cause of death of the casualties?

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f. Did anyone alter, clean, or otherwise tamper with the scene in any way following the operation, and if so, why?

g. Did the ground force who follow the proper unit standard operating procedures (SOP) or policies for sensitive site exploitation (SSE) or Battle Damage Assessment (BDA)? If not, how did their actions vary from the SOP?

h. Any other matters pertaining to this incident that you deem relevant to the scope of this investigation.

4. You will make specific factual findings and have the discretion to use any combination of the following methods: examination of relevant documents; visiting relevant locations; evaluating procedures; conducting inventories; taking pictures; and interviewing witnesses, documenting all witness interviews in writing. You are not limited to these means of investigation, and your legal advisor may provide you with additional guidance.

5. Based upon your factual findings, you will make recommendations which are not only supported by the facts, but also reasonably related to the facts.

6. Before you begin your investigation, you must receive a briefing from (b)(3), (b)(6), (b)(7)(F) (b)(6) who has been appointed as your legal advisor. (b)(3), (b)(6), (b)(7)(F) or DSN at (b)(6). You must consult with your legal advisor regarding all aspects of this investigation, including developing an investigation plan, determining whether witnesses need to be advised of their rights under the Article 31, UCMJ, (or the Fifth Amendment), and preparing your findings and recommendations. You may use the investigative resources located at the USFOR-A SharePoint Portal:
http://oneteam.centcom.smil.mil/sites/USFORA/SJAsite/References/Forms/AllItems.aspx.

7. You must review the original (b)(1)1.4a investigation prior to beginning your own. You may use any statements or exhibits from that investigation as you deem necessary, but you should re-interview key witnesses, to include members of the ground force, regarding the issues listed above.

8. You are to conduct this investigation using the procedures outlined in Chapter 3, AR 15-6. No individual has been named as a respondent at this time. All witnesses will be sworn-in prior to their interview. You are to thoroughly document all witness interviews in writing, preferably on a DA Form 2823 (Sworn Statement). You will interview all witnesses in person, if practical. Reduce any oral statements to memorandums for record.

9. If, in the course of your investigation, you come to reasonably suspect that certain people may have engaged in criminal conduct, you must advise them of their rights under Article 31, UCMJ (right against self-incrimination, outlined in DA Form 3881 warnings), or the Fifth Amendment, as appropriate. Witness waivers of their Article 31 or Fifth Amendment rights will be documented on DA Form 3881 (Rights Warning Procedure/Waiver Certificate). In addition, you may need to provide a witness with a Privacy Act statement before you solicit any personal information. You are to maintain a daily written chronology of your actions on this investigation. You are strongly encouraged to consult your appointed legal advisor if you have any questions regarding these procedures.

10. You may examine documents of personnel senior to you, and interview personnel senior to you. However, if, in the course of your investigation, you determine that the investigation will require you to examine the conduct or performance of duty of a service member senior to you, or to which you

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have a moral or ethical conflict, then you shall report that fact to my office immediately. I will then appoint another service member, senior to the service member affected, who will either replace you as the investigating officer or conduct a separate inquiry into the matters pertaining to the service member.

11. If you determine through your investigation that possible criminal conduct has occurred, immediately notify your appointed legal advisor before proceeding any further with your investigation. Criminal conduct includes violations of the UCMJ, punitive regulations, international, host nation, or other applicable state or federal law. In making this decision, consider whether it is more likely than not, under the circumstances you are aware of, that an offense has been committed by someone. Should there be any ongoing criminal investigation into this matter, you are to ensure that you do not interfere with any such investigation.

12. From the evidence, you will make findings concerning what occurred. Support your findings by substantial evidence and by a greater weight of evidence than supports any different conclusion. In developing your recommendations, ensure that your recommendations are supported by your findings. Develop in your recommendations any courses of action that seem appropriate to resolve any issues or problems raised by your findings, and recommend whether judicial, or no judicial proceedings, or further investigations are warranted.

13. The report of investigation will be completed on a DA Form 1574. The report will include a table of contents, and all exhibits will be tabbed. You will consult with your appointed legal advisor in developing your findings and recommendations. Your findings and supporting documentation shall be as thorough as necessary to fully capture the facts and circumstances surrounding the scope of this investigation.

14. Submit your findings and recommendations IAW AR 15-6 to the Office of the Staff Judge Advocate, USFOR-A, for a legal review no later than 15 days from the date of appointment. Submit any request for modification of the suspense or the scope of your investigation to Staff Judge Advocate, USFOR-A, through your legal advisor.

FOR THE COMMANDER:

(b)(3), (b)(6)

Staff Judge Advocate

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EXECUTIVE SUMMARY

On 12 February 2010, elements of (b)(1)1.4a discovered the bodies of three deceased females during post-operation SSE on a target in Khetaba Village. (b)(1)1.4a and the Afghan Ministry of Interior initiated separate investigations of this incident. After receiving the (b)(1)1.4a report and a brief by the MOI Investigating Officer, LTG Yarmand, GEN McChrystal subsequently ordered this investigation to determine: 1) Did the ground force deliberately mislead its higher headquarters in initial reports regarding this incident?; and, 2) Did the ground force attempt to hide the circumstances surrounding the casualties by altering, tampering with, and/or cleaning up the incident scene?.

Our investigation concludes that the answer to both of these questions is "No" and recommends no disciplinary action against the assault force members. The facts gathered in this investigation indicate that ground force personnel were unaware that the females were killed when they engaged Mohad Zahir after he emerged from a building in the compound with an AK-47 pointed at the assault force on the roof. While multiple Afghan statements indicate that the three females were attempting to prevent Zahir from confronting (b)(1)1.4a and were killed by rounds that either passed through or missed Zahir, and /or ricocheted off the walls, by all accounts neither of the shooters saw the women as the view in to the room behind Zahir was likely obscured by his presence in the small doorway and a blanket hung over the exterior door entrance. The ground force was confused by the unfamiliar sight of the women prepared so quickly for burial and firmly believed that they did not kill the three women. They therefore began to seek an explanation for the deaths. Although the facts as they are examined now make it highly improbable these women were killed by any other means and placed on the scene, the ground force believed that the women had been killed prior to the operation when they first assessed the situation. Our investigation found that the ground force's attempt to assess and explain the unusual scene in Room 1A led to an assumption that the women had been killed by Afghans and placed on the scene. This report was not made in an attempt to mislead higher headquarters, but was the honest assessment of the situation by forces on the ground.

It is undeniable that five innocent people were killed and two innocent men were wounded in the conduct of this operation. To simply call this "regrettable" would be callous; it is much more than that. However, the unique chain of events that led to their deaths is explicable. It was confirmed that (b)(1)1.4a was on the target area/compound before the ground force was launched. The ground force did not receive any intelligence that he had left the objective before they began the operation. The two men subsequently shot and killed presented themselves as combatants when they armed themselves with AK-47s. The men who

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engaged Zahir did not purposely or knowingly shoot into a room full of people, especially women. Actions taken by the APU mentor upon immediate discovery of the bodies (video) and the ground force commander (sitrep reporting the bodies within 10-15 minutes of assessing the scene) are reasonable, in accordance with SOP, and not the actions of those trying to mislead or cover up.

While there were tactical mistakes made, these were not within the scope of this investigation and they were addressed in the initial investigation. Our investigation **does** provide secondary and tertiary recommendations related to tactical lessons lear**ned**, information operations, reporting, and record keeping.

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CHRONOLOGY OF INVESTIGATION

DATE	EVENT/ACTIVITY
8April10	Received appointment letter from (b)(3), (b)(6) USFOR-A/ISAF SJA
8April10	(b)(3), (b)(6) assigned to team; (b)(6) (b)(3), (b)(6) assigned as legal advisor.
9April10	Team assembled at BAF; established office at MCE-A; awaiting paralegal support; in-calls with (b)(1)1.4a JAG, (b)(3), (b)(6).
10April10	Studied previous investigation, prepared investigation plan, met with (b)(1)1.4a Commander, requested additional documentation.
11April10	Met with (b)(1)1.4a OPS officer, (b)(3), (b)(6). Discussed case, reviewed Powerpoint brief synopsizing the event. Received requested products from (b)(6) (b)(3), (b)(6) Provided first list of names to interview and began coordination with units, both in Afghanistan and U.S. Began coordination with BSO for transportation and support to Gardez incident site. Continued to work through specified/ implied tasks, facts, assumptions in order to frame an approach to this investigation and questions to ask witnesses. Ultimate goal is to answer questions directed in appointment order. (b)(3), (b)(6) (b)(3), (b)(6) assigned as additional legal support.
12April10	Completed specific/implied tasks, facts, assumptions. Discussed questioning approach for witnesses. Prioritized witness list and schedule. Interviewed (b)(6) (b)(3), (b)(6), regarding (b)(1)1.4a JOC procedures and his recall of JOC events the evening of the operation. Continued contacting POCs to arrange for witness interviews. (b)(1)1.4a (b)(1)1.4a JAG office contacted previous 15-6 IO (b)(3), (b)(6) (b)(3), (b)(6) to arrange for interview and for his assistance in

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	arranging interviews of witnesses in Damneck, VA area. (b)(3), (b)(6) wrote MFR regarding interview with (b)(3), (b)(6) spoke with (b)(1)1.4a, (b)(3), (b)(6) re: mission clearance procedures.
13April10	Conducted telephonic interviews: (b)(3), (b)(6) at approx. 1730; (b)(3), (b)(6) at 2030; (b)(3), (b)(6) at 2200; (b)(3), (b)(6) at 2230; (b)(3), (b)(6) at 2245. (b)(3), (b)(6) to arrange for interviews with remaining AF members and to obtain ISR feed and Comms feed.
14April10	Began typing MFRs regarding previous day's witness interviews. (b)(3), (b)(6) coordinated site visits to Gardez and Compound Site with (b)(1)1.4a Arranged for interviews with (b)(3), (b)(6) (b)(3), (b)(6) Continued efforts to obtain ISR sound/footage, mIRC chat, SATCOM recordings. Arranged for interview with (b)(3), (b)(6) (b)(3), (b)(6).
15April10	(b)(1)1.4a, (b)(3), (b)(6) to discuss site visits. Interviewed (b)(3), (b)(6) (b)(3), (b)(6) Continued efforts to arrange interviews; attempted to contact (b)(3), (b)(6) on original investigation and (b)(3), (b)(6) (b)(3), (b)(6) to arrange interviews with the family members. Attempting to arrange for interview with ANP BG Destigeer.
16April10	Conducted in person interview with (b)(3), (b)(6) at 1230. Conducted telephonic interviews: (b)(6) (b)(3), (b)(6) at 2035; (b)(6) (b)(3), (b)(6) at 2045; (b)(3), (b)(6) at 2100. Continued to coordinate travel for 18 April.
17April10	Received sworn statements from (b)(3), (b)(6) (b)(3), (b)(6) via e-mail. (b)(6)

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	(b)(3), (b)(6) also forwarded a JOC Log and a timeline put together by his team after the operation, included as an exhibit to the original 15-6. The JOC log sent matched the JOC Log included as an exhibit in the original 15-6. Conducted telephonic interviews with (b)(3), (b)(6) at 2330.
18April10	Travelled to (b)(1)1.4a to interview (b)(3), (b)(6), (b)(3), (b)(6), BG Destigeer, Haji (b)(6) (b)(6) Then travelled to Jalalabad Airfield to visit (b)(1)1.4a and meet with (b)(6) (b)(3), (b)(6) Travelled to (b)(1)1.4a to meet with five of the six APU members involved in the operation.
19April10	Reviewed ISR feed; didn't have audio or time stamp. Received JOC Logs for (b)(1)1.4a for the night of the operation. Conducted telephonic interviews with (b)(3), (b)(6) at 1730.
20April10	Conducted telephonic interview with (b)(3), (b)(6) Began to assemble facts and determine findings and recommendations.
21April10	Wrote facts, findings, and recommendations and began to assemble exhibits and associated documentation. Conducted telephonic interview with (b)(3), (b)(6).
22April 10	Completed assembling, editing investigation.

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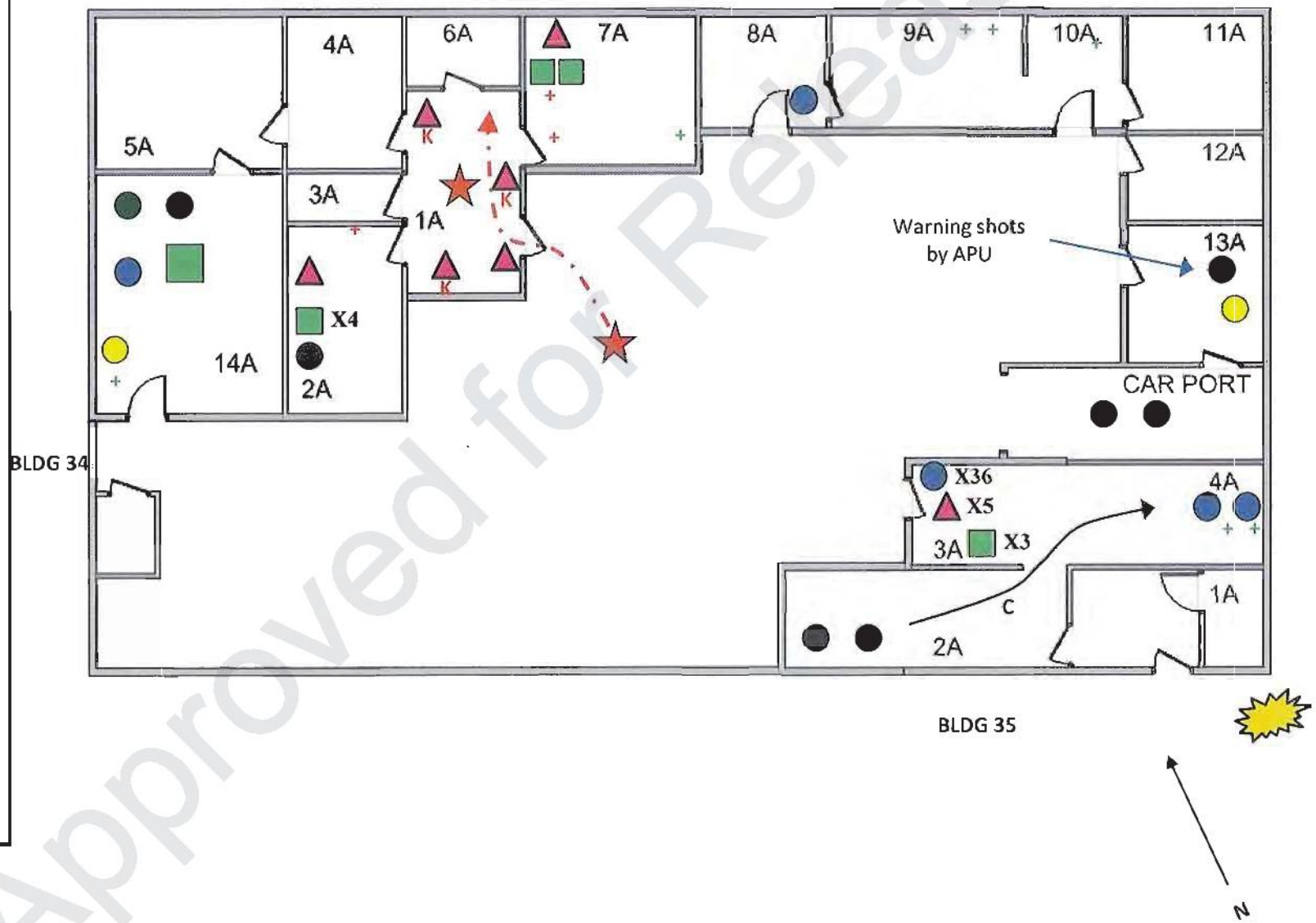
OBJECTIVE DIAGRAM

30 SERIES

LEGEND

(b)(1)1.4a



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(b)(1)1.4a

(b)(1)1.4a

Timeline

Executive Summary

The overall classification of this brief is:
~~SECRET // REL, ACGU~~

08 APR 2010

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CLASSIFIED BY: MAN 380-5, dated 1 May 06
DECLASSIFY ON: 205 APR 32

Main Points (1)

- Assault occurred at (b)(1)1.4a 11 February 2010 in Gardez District, Paktiya Province
- (b)(1)1.4a
- Two Armed males were found on target and killed in the courtyard
- Three women were discovered during clearance of structure (#34)
  - These women were never spotted or engaged during the assault
- The focus of the operation then became determining how the three women had been killed
- Lack of cultural awareness led the Assault Force to conclude these women had been killed by someone else
- Initial inspection of the bodies suggested that they had been dead over several hours

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Main Points (2)

- This lead to the false conclusion that the women had been murdered
- Assault Force leadership remained on target, and conducted turnover with the Battle Space Owner and the Afghan Ministry of Interior
- Documentation of the bodies and the room was conducted
- No tampering of the scene was conducted by the Assault forces or Battle Space Owner
- Afghan lead investigation team arrived (b)(1)1.4a after the Assault Force had left the area
- It is probable that the family prepared the bodies for funeral in accordance with the local custom
- The time lag may have contributed to dramatically different conclusions between the US and Afghan investigations

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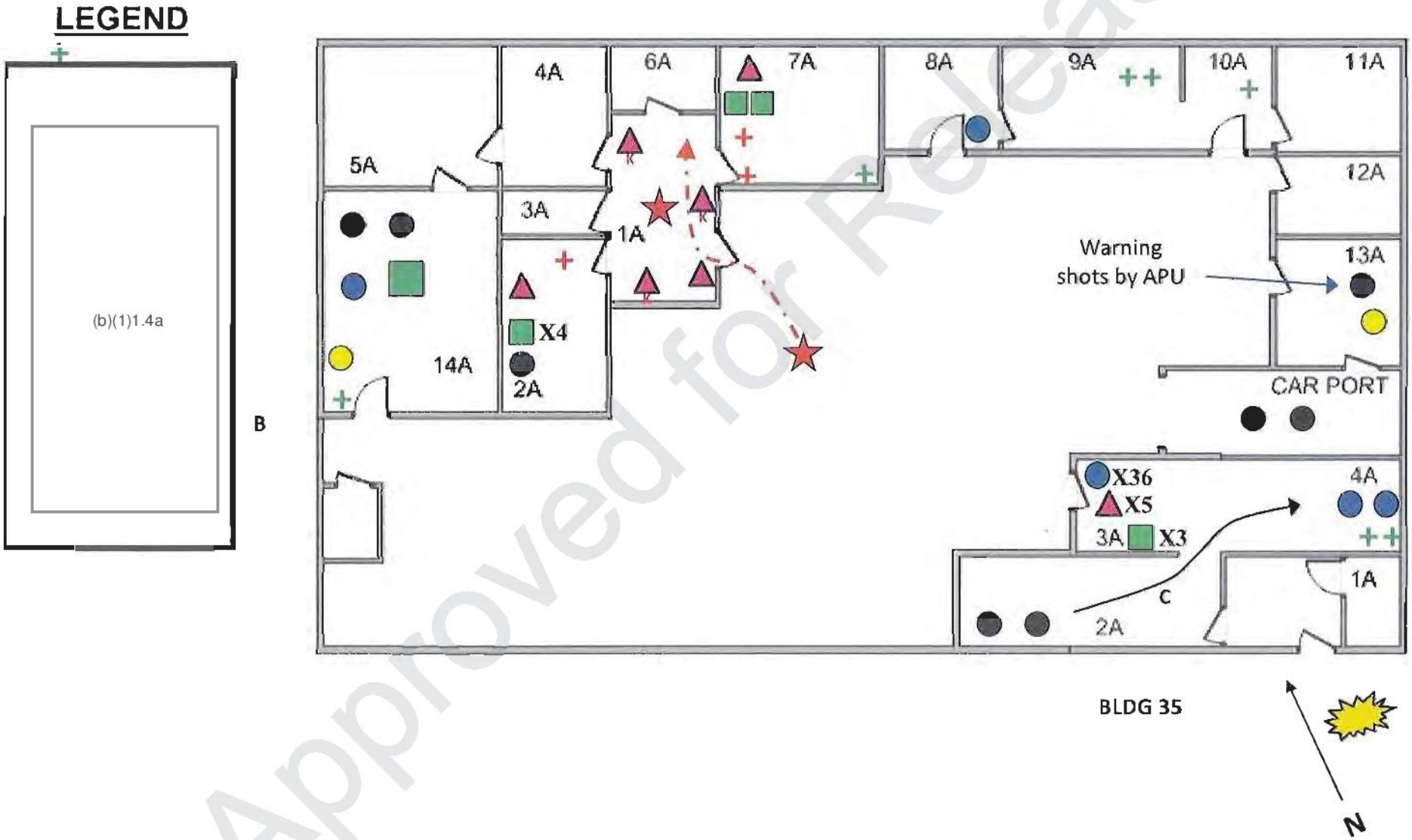
Target Compound Schematic / Buildings 34 and 35



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Post Assault Timeline (1)

12 FEB 10

- (b)(1)1.4a
- (b)(1)1.4a Non-essential personnel (b)(1)1.4a moved to exfil. (b)(1)1.4a Assault Force personnel remained on target in order to conduct Key Leader Engagement with local village elders, local Afghan National Police leadership, the provincial deputy governor and the Battle Space Owner Battalion CDR. Key Leader Engagement receipts were received by the residence's elder.
- (b)(1)1.4a
- (b)(1)1.4a conducts walk through with (b)(6) (b)(6) before proceeding to draft press release
- (b)(1)1.4a Gen Adel, Chief of Investigation, Dep 505 East Zone is on scene.
- ISAF conduct (b)(1)1.4a mitigation VTC
- 2nd ISAF (b)(1)1.4a mitigation VTC

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Post Assault Timeline (2)

12 FEB 10

- **0930Z:** Reporter (b)(6) for Dateline releases quotes challenging ISAF release
- (b)(1)1.4a
- **~1500Z**: Assault force Key Leader Engagement also included the Battle Space Owner Surgeon who assesses that the females have been dead 8-12 hours. Surgeon makes a medical assessment of the deceased females for the Battle Space Owner's investigation.
- **~0230Z-0530Z**: Shura conducted with village elders, Afghan National Police general, conventional Battle Space Owner, Afghan Partner Unit and (b)(1)1.4a (b)(1)1.4a Ground Force Commander in which the Assault Force key leaders explained the actions on the objective and the Battle Space Owner Battalion Commander spoke to the key leaders of the Afghan National Police present.
- **1330Z**: IJC and FBI investigators arrive on scene
- **1500Z**: 3rd ISAF (b)(1)1.4a mitigation VTC

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Post Assault Timeline (3)

- **11 FEB:** SSE Report from the Assault Force posted
- **12 FEB**: (b)(1)1.4a stating: that pro-Taliban insurgents had executed three women in a house in Gardez in Paktya Province earlier that day and hoped to blame the deaths on the U.S. military. (sensitive source report)
- **12 FEB 1456Z**: (b)(1)1.4a Special Story Board for (b)(1)1.4a ver 2
- **12 FEB 1352Z:** (b)(1)1.4a photos posted to portal
- **12 FEB 1054Z:** (b)(1)1.4a releases special storyboard ver 1
- **12 FEB:** ISAF releases "Joint Forces Operating in Gardez Makes Gruesome Discovery" article
- **12 FEB:** Joint Press Release titled "Afghan-International Security Force are Conducting a Joint Investigation into incident in Paktiya
- **12 FEB 0600Z:** IJC releases initial statement to Minister Atmar from the VTC ISAF/IJC/ (b)(1)1.4a conducted at 0600Z in reference to post-ops mitigation from (b)(1)1.4a

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Post Assault Timeline (4)

- **12 FEB 0726Z:** (b)(1)1.4a Releases corrected final Story Board
- **12 FEB 0520Z:** (b)(1)1.4a Press Release "Afghan-Combined Force Find Three Women Dead, Kill Two Militants in Paktya"
- **13 FEB**: (b)(1)1.4a appoints Investigating Officer
- **14 FEB:** (b)(1)1.4a photos for release based on LTG Yerman request to view photos taken by the assault force
- **14 FEB:** BG Bowes, leader of the IJC/CJTF-82 Inquiry Team into (b)(1)1.4a (b)(1)1.4a conducted a conference call with (b)(3), (b)(6) MG Regner, IJC (b)(3), (b)(6) this evening at 1630Z to discuss his initial findings and the state of the inquiry.
- **15 FEB:** BSO receives detainees from (b)(1)1.4a for release
- **15 FEB:** CJTF 82 releases proposed talking points for (b)(1)1.4a
- **15 FEB:** Sworn statements taken from Afghan Partner Unit, Gardez, and (b)(1)1.4a (b)(1)1.4a members

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Post Assault Timeline (5)

- **01 MAR:** (b)(1)1.4a completes 15-6 Investigation
- **01 MAR:** Legal review of the 15-6 completed
- **02 MAR:** (b)(1)1.4a CDR signs Approval of 15-6
- **14 MAR**: ISAF Rejects Cover up Allegations
- **20 MAR:** BG Trembley briefed General McChrystal on the brief that he received from Ministry of Interior Criminal Investigations Division earlier today.
- **23 MAR**: (b)(1)1.4a J3 and JAG meet with General McChrystal , GIRoA MOI lead investigator and BG Trembley. Receive MOI investigation brief.
- **23 MAR**: COMISAF directs IJC to coordinate a shura in Gardez with the following participants: local village elders and family members; GIRoA officials (recommend LtGen Yeoman be one of those); (b)(1)1.4a senior representative(s); and BSO senior representative(s).
- **04 APR**: ISAF releases article "Gardez investigation concludes".
- **05 APR:** UK Times publishes two articles by (b)(6) "U.S. special forces 'tried to cover-up' botched Khataba raid in Afghanistan" and "UN report criticizes covert troops who committed Afghan killings"
- **05 APR:** International media including New York Times, REUTERS, CNN, AFP, Al Jazerra, Pajhwok Afghan News, and Indian Express publish articles stating US Admits to killing women

Approved for Release

Assault Force Photographs

(b)(6)

(b)(1)1.4a, (b)(6)

Building 34 Room 1A
Five bodies discovered by APU
During clearance

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Assault Force Photographs

(b)(6)

Entrance to Building 34

Assaulters conducting a search of the KIAs

(b)(1)1.4a, (b)(6)

Approved for Release

Assault Force Photographs

(b)(1)1.4a, (b)(6)

Assault Force searching for wounds on Female 1

Approved for Release

Assault Force Photographs

(b)(6)

(b)(6)

Building 34 Room 1A
Female 2

Approved for Release

Assault Force Photographs

(b)(6)

(b)(6)

Building 34 Room 1A
EKIA 1

Approved for Release

Assault Force Photographs

(b)(6)

(b)(6)

Building 34 Room 1A
EKIA 2

Approved for Release

(b)(1)1.4a

Photographs

(b)(6)

Female 3 with cloth wrapping head and toes

(b)(6)

Approved for Release

(b)(1)1.4a

Photographs

(b)(1)1.4a, (b)(6)

Afghan men present on the objective

(b)(1)1.4a, (b)(6)

Approved for Release

(b)(1)1.4a

Photographs

(b)(1)1.4a, (b)(6)

Unusual Neck Wound
Female 2

Approved for Release

Questions / Discussion

Approved for Release

HEADQUARTERS
(b)(1)1.4a
BAGRAM, AFGHANISTAN

REPLY TO
ATTENTION OF:

(b)(1)1.4a

2 March 2010

MEMORANDUM FOR RECORD

SUBJECT: Approval of AR 15-6 Investigation ICO (b)(1)1.4a ~~(S//REL ISAF)~~

1. (U) I approve the findings of the investigation with the following exceptions and substitutions:

a. (U) Approved. I find no wrongful use of entry techniques and the entry techniques did not contribute to LN deaths.

b. (U) Approved with the following additions.

(1) ~~(S//REL ISAF)~~ I find that (b)(1)1.4a personnel provided medical treatment to two LN males who were wounded at some time during operations on (b)(1)1.4a (b)(1)1.4a Subsequently, (b)(3), (b)(6) the (b)(1)1.4a Physician's Assistant, conducted a cursory field exam on the five LN's found dead on the (b)(1)1.4a This was the only documented record of a health care provider conducting any type of autopsy or like medical evaluation.

(2) ~~(S//REL ISAF)~~ (b)(3), (b)(6) told his BN CDR, "I did not believe (b)(1)1.4a had killed the three females. I told him the stab wound to the 18-20 year old female was odd and out of character for special operations personnel. I told him the bodies were in rigor, which takes eight to twelve hours to relax. I knew the bodies were in rigor because of the effort it took to move the head of the female with the stab wound to the throat."

c. (1) (U) Approved. I find that both LN males displayed hostile intent prior to engagement by the Assault Force.

(2) (U) Approved with the following addition. The Assault Force could have attempted to use more assets at their disposal to more effectively call-out the occupants of the buildings.

(b)(1)1.4a

d. (U) Approved. I concur with the IO that the cause of death of the three LN females is inconclusive. The lack of investigative procedure and future access to the IO by the ANSF,

Approved for Release

GIRoA officials and Khataba village inhabitants contributed to an inconclusive finding in determining the deaths of the three females.

(1) (U) Approved.

(2) ~~(S//REL ISAF)~~ Approved. I concur with the IO that a plausible cause in the deaths of the three LN females could have been a shoot through from lethal fires applied by the AF (b)(1)1.4a against Zahir. But if this did occur, there was no intention to engage anyone except for Zahir who had demonstrated hostile intent by arming himself, and then a hostile act by pointing the AK47 at both US Soldiers.

(3) ~~(S//REL ISAF)~~ Approved. I concur with the IO that there are other plausible causes of death for the three LN females including, but not limited to, cultural ritual, accident, or unknown circumstances. I concur with the IO's findings that the rudimentary ballistic evidence suggests that it is unlikely that the lethal engagement of Zahir resulted in the shoot thru of the three LN females.

e. (1) (U) Approved.

(2) (U) Approved.

(3) ~~(S//REL ISAF)~~ Approved with the following addition. I find the fact that the Assault Force Leader failed to mention the similar burial preparations on Dawood that were visible in SSE photos led to erroneous assumptions that were made by the Assault Force and transmitted to the (b)(1)1.4a further leading to the belief that the three LN females had been killed for a cultural purpose.

(4) (U) Approved.

f. (U) Approved.

g. ~~(S//REL ISAF)~~ Approved. I find that the (b)(1)1.4a to keep a BHO force on the (b)(1)1.4a was critical to consequence management, and although it did not dissuade local national resentment, it did create an environment of transparency with CFs.

(b)(1)1.4a, (b)(1)1.4c

i. (U) Approved as per below in paragraph 2 of this memorandum.

j. (U) Approved.

Approved for Release

(b)(1)1.4a

SUBJECT: Approval of AR 15-6 Investigation ICO (b)(1)1.4a ~~(S//REL ISAF)~~

2. (U) I approve the recommendations of the investigation with the following exceptions and substitutions:

a. (1) (U) Approved. Disseminate to subordinate TFs for action.

(2) (U) Approved. Disseminate to subordinate TFs for action.

b. (1) (U) Approved. Disseminate to subordinate TFs for action.

(b)(1)1.4a

(3) ~~(S//REL ISAF)~~ Approved. Refer to (b)(1)1.4a for action.

(4) ~~(S//REL ISAF)~~ Approved. Refer to (b)(1)1.4a for evaluation of feasibility.

c. (1) (U) Approved. No action required.

(2) (U) Approved. No action required.

(3) ~~(S//REL ISAF)~~ Approved. Refer to (b)(1)1.4a for action.

d. (U) Additional actions.

(b)(1)1.4a, (b)(3), (b)(6)

Approved for Release

(b)(1)1.4a

SUBJECT: Approval of AR 15-6 Investigation ICO (b)(1)1.4a (~~S//REL ISAF~~)

3. (U) I direct a copy of this report be provided to the (b)(1)1.4a, and subordinate (b)(1)1.4a (b)(1)1.4a for dissemination and implementation of approved recommendations. I direct a copy of this report to be provided to the Commander, CJTF-82, and the Commander, IJC, for their information and any actions they deem appropriate.

4. (U) Point of contact is the (b)(1)1.4a, (b)(3), (b)(6), or SIPR (b)(1)1.4a, (b)(3), (b)(6)

(b)(3), (b)(6)

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HEADQUARTERS
(b)(6)
BAGRAM, AFGHANISTAN

REPLY TO
ATTENTION OF

(b)(1)1.4a

1 March 2010

MEMORANDUM FOR RECORD

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (~~S//REL ISAF~~)

1. ~~(S//REL ISAF)~~ **Purpose of Investigation:** The purpose of this investigation is to determine the facts and circumstances surrounding the deaths of local nationals that occurred during (b)(1)1.4a, in the vicinity of Gardez District, Paktya Province, Afghanistan, during period of darkness 11-12 February 2010. (b)(3), (b)(6) to serve as the investigating officer on 13 February 2010 (Exhibit 1). (b)(6) representative) and (b)(3), (b)(6) for the investigation.

2. **(U//~~FOUO~~) Background:**

a. ~~(S//REL ISAF)~~ On 11 February 2010, (b)(1)1.4a (b)(1)1.4a in the vicinity of Gardez District, Paktya Province, Afghanistan. The operation resulted in the deaths of two males and the discovery of three dead females and two wounded males. (b)(1)1.4a (b)(1)1.4a and the casualties is unknown. The deaths of the two males occurred during a tactical call-out (TCO) of the targeted compound and (b)(1)1.4a discovered the three dead females and two wounded males during the sensitive site exploitation (SSE) phase of the operation. (Exhibits 7, 8, 9, and 11)

(b)(1)1.4a

c. (U//~~FOUO~~) In the aftermath of the operation, villagers from the area conducted multiple demonstrations in the vicinity of the provincial police headquarters (PHQ). Following these demonstrations, village elders held a *shura* with Ministry of Interior (MoI), Provincial Afghan National Police (ANP), Provincial Government and ISAF Joint Command (IJC) personnel. The village elders' demands included the release of the eight detainees, ISAF acceptance of

(b)(1)1.4a

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responsibility for the civilian casualties, and punishment of the "informant/agent" responsible for the faulty intelligence. During the *shura*, locals promised not to demonstrate further, and IJC promised it would conduct a full investigation. (Exhibit 17)

3. **(U) Participants**: The following forces participated in this operation. (Exhibit 2, 11. 12. 14):

a. ~~(S//REL ISAF)~~ (b)(1)1.4a

b. (U) Battle Space Owners (BSO):

(1) ~~(S//REL ISAF)~~ (b)(1)1.4a; (b)(1)1.4a

(2) ~~(S//REL ISAF)~~ (b)(1)1.4a (b)(1)1.4a

(3) ~~(S//REL ISAF)~~ (b)(1)1.4a (b)(1)1.4a)

c. (U) Afghan National Police (ANP), Gardez District

d. ~~(S//REL ISAF)~~ (b)(1)1.4a (b)(1)1.4a

4. **(U//~~FOUO~~) Facts**: ***5.a. The detailed facts and circumstances surrounding the conduct of the operation and all follow-on actions in mitigation, coordination, and assistance.*** (For a detailed timeline of events see Exhibit 3 and for greater geospatial understanding see Exhibit 4.)

a. **(U) Purpose of the Operation:**

(b)(1)1.4a, (b)(6)

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(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//~~FOUO~~)

(2) ~~(S//REL ISAF)~~ (b)(1)1.4a

(b)(1)1.4a, (b)(7)(E)

b. **(U) Operational Planning:**

(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

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(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//~~FOUO~~)

(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

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(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//~~FOUO~~)

(b)(1)1.4a, (b)(5), (b)(7)(E)

(b)(1)1.4a

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(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//FOUO)

(b)(1)1.4a, (b)(7)(E)

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(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//~~FOUO~~)

(b)(1)1.4a, (b)(5), (b)(7)(E)

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(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//~~FOUO~~)

(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(E)

Approved for Release

(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//~~FOUO~~)

(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

Approved for Release

(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//~~FOUO~~)

(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

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(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

e. **(U) Post Mission Intelligence:** The following items came from tactical questioning, and other post mission intelligence.

(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

(3) (U//~~FOUO~~) Weapons: During SSE, (b)(1)1.4a located three AK-47s, one pistol and multiple grenades in building 35 (Exhibits 8 and 13). (b)(1)1.4a assessed that two of the AK-47s were the weapons held by Dawood and Zahir during the engagements.

f. **(U) Medical Care:**

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(1) *(U//~~FOUO~~) Wounded 15-year-old male: The platoon medic provided medical care to* the wounded 15-year-old male discovered holding his side in building 35. The platoon medic assessed the abdomen wound was caused by a gunshot. It is assessed the male was originally in building 34, but the assault force moved him to building 35 following completion of clearance. The medic cleaned and bandaged the wound and assessed it as a superficial through-and-through wound (Exhibits 2 and 11). Local medical providers moved him to Kabul for further treatment.

(2) (U//~~FOUO~~) Wounded 25-year-old male: The platoon medic provided medical care to the wounded 25-year-old male discovered with blood on the left side of his shirt and pants in building 35. The platoon medic assessed the wound to his left arm was caused by a through-and-through gunshot wound, and the wound to his leg was caused from a small piece of fragmented metal. It is assessed he was originally in building 34, but the assault force moved the male to building 35 following completion of clearance. The medic cleaned and bandaged the wounds and assessed them as superficial through-and-through wounds (Exhibits 2 and 11). Local medical providers moved the patient to the Gardez Provincial Hospital for follow-on treatment. A subsequent interview with (b)(6), (b)(7)(F) (b)(6) revealed the doctors believe a ricocheting bullet caused the leg wound (Exhibit 11).

g. **(U) Public Affairs:**

(1) ~~(S//REL ISAF)~~ Release: **On 12 Feb, ISAF prepared** a PAO release with talking points which was sent to the "IJC Media Operations" e-mail list at 0537Z. The release contained information the assault force found the women "tied up, gagged, and killed" as well as "hidden in an adjacent room." Also on 12 Feb, (b)(1)1.4a prepared a Public Affairs Office (PAO) release with talking points to ISAF, USFOR-A, and IJC at 0538Z via classified e-mail. This release was never sent forward. The release contains no information on the women being bound and gagged. Both events took place after the first lift of the assault force and the detainees had departed the scene, but before GIRoA and BSO leadership arrived at the scene (Exhibit 15).

(2) ~~(S//REL ISAF)~~ *At 0823Z, ISAF sent a joint ISAF/GIRoA press release to the "IJC* Media Operations" e-mail list and (b)(3), (b)(6), (b)(7)(F) The release contained information the force "found the bound and gagged bodies of two women." It also details the MoI investigation delegation sent to Gardez and alleges "[s]everal insurgents engaged the joint force in a fire fight and were killed," which was the most widely rebroadcasted release (Exhibit 15).

(3) ~~(S//REL ISAF)~~ At 0956Z, (b)(1)1.4a sent a Post Operation IO and Mitigation package to a large e-mail list, which contained information on the target and a GIRoA-releasable storyboard, as well as IO themes and talking points. Of note is the e-mail list contained the

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addresses for the PRT Khost Commander (b)(3), (b)(6), (b)(7)(F), but not PRT Paktya's Commander (b)(3), (b)(6), (b)(7)(F) (Exhibit 15).

(4) ~~(S//REL ISAF)~~ The BSO has taken the lead on consequence management and engagement for this operation, but neither of their IO personnel (b)(3), (b)(6), (b)(7)(F)

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

(5) ~~(S//REL ISAF)~~ (b)(1)1.4a was on the list, however. While the (b)(1)1.4a

(b)(1)1.4a, (b)(3), (b)(6), (b)(7)(F)

(6) ~~(S//REL ISAF)~~ Based on the timestamp from the e-mail, this information was sent out after the BSO had been in a meeting with provincial officials (ANP Chief, NDS Chief, Provincial Deputy Governor), while a demonstration was taking place, and approximately an hour prior to the arrival of the MoI investigative team from Kabul. Some of the information on the women being bound and gagged was released from the scene in radio reports to the BSO JOC and may have been forwarded to (b)(1)1.4a and further via the (b)(1)1.4a (Exhibit 15).

(7) ~~(S//REL ISAF)~~ During this time period, (b)(1)1.4a received multiple reports of statements allegedly made by Paktya Deputy ANP Chief BG Destigeer about what was found at the scene (one statement was CF had killed Paktya NDS (b)(6) another was CF had killed two NDS agents). The (b)(1)1.4a was also barred from doing any messaging for the incident by CJTF-82. When the decision was made to release the detainees taken from the objective, GIRoA and ANSF issued the press statement (Exhibit 15).

(8) (U) There have been no subsequent press releases.

h. **(U//~~FOUO~~) Condolence Payment:** As of 19 February 2010, CF have offered no payments to the family. During a meeting before the 14 Feb detainee transfer, the father was persuaded by MG Fatah (ANP Zone 2 Commander) to accept some money Fatah said was Dawood's last wages. One of the issues still outstanding is the allegation of theft of approximately $85,000 from the premises, which was part of the demands both BG Wardak and MG Fatah have made to settle the matter. During a KLE between (b)(3), (b)(6), (b)(7)(F) BG Wardak, and MG Fatah, BG Wardak mentioned condolence payment, but did not suggest an amount (Exhibit 11).

i. **(U//~~FOUO~~) Investigation:** *The investigation has not had a major IO impact with the* populace, but it has had a positive effect on CF relationship with ANSF in the province. (b)(6) (b)(3), (b)(6), (b)(7)(F) met with Paktya ANP Deputy Chief BG Destigeer about information needed in pursuit

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of the investigation and was well-received by him. He said he was glad the investigation was taking place to ensure something like this does not happen again and for future success in partnered operations (Exhibit 11).

j. **(U//~~FOUO~~) Key Leader Engagements:** KLEs were the largest part of the consequence management for this event, especially considering erroneous reports from GIRoA and ANSF officials on what had happened and the moratorium on messaging from echelons brigade and below (Exhibits 11, 16, and 17).

(1) (U//~~FOUO~~) The first KLE took place on site with the BSO, Deputy Governor, ANP Chief, and GFC. The GFC walked the GIRoA officials through his team's actions on the objective, explaining what actions they had taken and what they had found at the scene (Exhibits 7 and 11).

(2) (U//~~FOUO~~) The second KLE was done by the ISAF Incident Response Team and BSO with a number of provincial leaders and the MoI-appointed representative (LTG Yarmand) on 12 Feb at approximately 1500Z at the Governor's Guest House. During this meeting, LTG Yarmand met BG Bowes and they talked through what had happened that day, as well as setting a plan for consequence management and the investigations (Exhibits 11 and 17).

(3) (U//~~FOUO~~) The third KLE was during the detainee release, and was held at FOB Gardez with LTG Yarmand, Member of Parliament (b)(6) (b)(6) MG Fatah and BG Bowes. GIRoA and CF personnel were able to meet before the detainee transfer, and GIRoA delivered the detainees to their families at the Regional Training Center, which was well-received throughout the province (b)(3), (b)(6), (b)(7) MG Fatah, and BG Wardak held the last KLE to date with each other on 18 Feb. During this KLE, the ANSF representatives explained their efforts to calm tensions in the area, provided atmospherics on the village, and talked about the way ahead (Exhibit 11).

5. (U//~~FOUO~~) Findings.

a. ***b. (~~S//REL ISAF~~) Describe the methods used to gain entry into targeted compounds and structures during the mission and their effectiveness.*** I find that the methods used to gain entry into the targeted compounds were effective. (b)(1)1.4a

(b)(1)1.4a

Approved for Release

b. ***c. (U//~~FOUO~~) The nature and extent of any injuries or casualties encountered upon, or as a result of, the conduct of this operation and include any subsequent medical care offered, provided, and/or declined.***

(1) (U//~~FOUO~~) The casualties were (Exhibits 2 and 13):

	GENDER	NAME	AGE	LOCATION	STATUS
1	Male	Dawood	~38 y/o	Engaged by assault force from rooftop. Killed Courtyard (btw bldgs 34 & 35)	Killed by GSW to the chest
2	Male	Zahir	~42 y/o	Engaged by assault force from rooftop. Killed in Bldg 34 doorway.	Killed by GSW to the chest
3	Female	Bibi Saibeha	~35 y/o	Found in Bldg 34, rm 1A	Died of wounds
4	Female	Bibi Shirin	~22 y/o	Found in Bldg 34, rm 1A	Died of wounds
5	Female	Gulalay	~18 y/o	Found in Bldg 34, rm 1A	Died of wounds
6	Male	(b)(6)	~25 y/o	Unknown, Treated in Bldg 35, rm 2A	Wounded to the left arm and left leg
7	Male	UNK	~15 y/o	Unknown, Treated in Bldg 35 rm 2A	Wounded to the lower left abdomen

(2) (U//~~FOUO~~) See also paragraph 4.f. above for treatment summary of wounded males.

c. ***~~(S//REL ISAF)~~ Whether the employment of force by each element was a result of a demonstration of hostile intent, hostile act, or imminent threat;*** See paragraphs below 5.c.(1)-(3).

e. ~~(S//REL ISAF)~~ Whether the amount of force used in each case was necessary and proportional under the circumstances; See paragraphs below 5.c.(1)-(3).

f. ~~(S//REL ISAF)~~ What, if any, steps were taken to escalate and/or deescalate the use of force for any engagements; See paragraphs below 5.c.(1)-(3).

k. ~~(S//REL ISAF)~~ Did the Assault Force use appropriate de-escalation Tactics,

(b)(1)1.4a

. ***l. ~~(S//REL ISAF)~~ Who conducted the Tactical Call-Outs (TCOs), what was the location of the individuals conducting TCOs relative to occupants of the targeted***

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compounds, and was it reasonable to assume TCOs could be heard by occupants? See paragraphs below 5.c.(1)-(3).

(1) ~~(S//REL ISAF)~~ After an analysis of their actions, I find each (b)(1)1.4a acted in accordance with (b)(1)1.4a core values and the Laws of Armed Conflict. Each member that fired his weapon acted within the Rules of Engagement because they responded to what they perceived as hostile intent. During the operation, (b)(1)1.4a engaged personnel. Assault force perceived two individuals as displaying hostile intent. In both shooting incidents, all four shooters responded to what they perceived as a direct and imminent threat to themselves or to the members of their assault force. Based on the imminent nature and time urgency of the threat, none of the four shooters was either in a position to avoid the engagement through escalation of less than lethal means or in a position to deescalate the situation in time to prevent perceived harm to themselves and the members of their assault force. In each instance, the amount of force utilized was necessary, proportional and applied at appropriate time. Reference paragraphs 4.d.(6) – (11) for the description of the engagements. (Exhibits 4, 11, 12, 20)

(2) ~~(S//REL ISAF)~~ I find it reasonable to believe that the occupants of the compound clearly heard and understood the TCO. I base this assessment on the TCO's close proximity to the building with the majority of people inside. The fact that assault force personnel located behind walls and over 150 meters away could clearly hear the TCO confirms this assessment. Finally, local national accounts from the site visit on 14 FEB and detainee reporting confirms that the males inside the compound heard and understood the TCO (Exhibits 11, 14). The assault force's interpreter, APU soldiers and APU mentor conducted the TCO across the street approximately 15 meters from the target compound (Exhibits 11, 12). Reference paragraph 4.d.(15) for the description of the TCO.

(b)(1)1.4a

d. ***g. ~~(S//REL ISAF)~~ Provide assessment for cause of death of deceased Local National females and is it consistent with the GFC's reports to*** (b)(1)1.4a***?*** Although

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the investigation team assesses the most likely cause of death for the three females and wounding of two males was from penetrating and fragmented rounds ("shoot throughs") following the engagement of the armed male in the doorway to building 34, **the team's results are inconclusive.** Local national claims support the theory of "shoot throughs" from the second engagement resulting in the deaths of the females and wounding of males. However, many inconsistencies with this theory remain.

(1) ~~(S//REL ISAF)~~ Two engagements from this operation resulted in two killed males. (b)(1)1.4a, (b)(7)(E) confirm that there were only two engagements (Exhibits 4, 11, 12, and 14). The assault force discovered three dead females during SSE in the same room as the dead males (reference paragraph 4.d.(22)), and the assault force discovered the two wounded males assessed to have originated from building 34 in building 35 during TQ (reference paragraph 4.d.(25)).

(2) ~~(S//REL ISAF)~~ Before examining the inconsistencies with the theory, it is important to examine the evidence that does support the theory. Local nationals claim there was a party in the compound celebrating the birth of a child; the guests feared they were being attacked by the TB as retribution for drinking wine, playing music, their Tajik ethnicity and for being guests of an ANP commander; and the women were killed during the second engagement as they tried to prevent Zahir from exiting the building to take *badal* (revenge) for the death of his brother—all of which seems to be corroborated by some of the evidence. This evidence includes:

(b)(1)1.4a, (b)(1)1.4c, (b)(7)(F)

(b) (U//~~FOUO~~) An interview conducted by (b)(3), (b)(6), (b)(7)(F) with a (b)(1)1.4a local national employee who was at the compound during the operation corroborates the "shoot through" theory. This local national claims that the women were killed trying to prevent Zahir from exiting the doorway (Exhibit 11).

(c) (U//~~FOUO~~) Dawood's cousin and father gave the ANP and the investigation team a summary of events that corroborated the "shoot through" theory during the 14 FEB site visit (Exhibit 11).

(d) ~~(S//REL ISAF)~~ Convincing (b)(1)1.4a, (b)(7)(E) reporting corroborates the "shoot through" theory. The reporting indicating that the TI was at the compound earlier in the

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period of darkness to celebrate the birth, escaped capture and that CF accidentally killed two ANP officers and three women (Exhibit 11).

(e) ~~(S//REL ISAF)~~ Consistency in all eight detainees' statements that would be impossible to pre-plan without prior knowledge of specifics of the operation seems to help corroborate the "shoot through" theory. The detainee reports corroborate that the women died when they tried to stop Zahir from exiting the building. They describe the party and the circumstances of Zahir's and Dawood's death (Exhibit 14).

(f) ~~(S//REL ISAF)~~ The audio transcript of unwitting compound inhabitants, recorded during the BHO and while compound family members were in building 35, room 2A, corroborates the theory that the women were killed during the operation and not prior (Exhibit 18).

(g) (U//~~FOUO~~) Understanding Afghan customs for preparation and burial of the dead explains the unusual wraps around the head and toes of the dead. (b)(6), (b)(7)(F) explained to the team that it is an embarrassment to a dead person's family if rigor mortis sets in and the body's legs are uneven and the mouth open. (b)(6), (b)(7)(F) explained that Afghans often put the wraps around the head and jaw and tie a body's toes together immediately after death in order to prevent this. (b)(6), (b)(7)(F) explained the fact that it is very reasonable for the locals to have wrapped the bodies in the time between the second engagement and the clearance by APU (approximately 15 – 20 minutes) (Exhibits 16, 20).

(h) ~~(S//REL ISAF)~~ (b)(1)1.4a, (b)(7)(E) of the males who compromised the TCO team at the gate corroborates what both local nationals at the site and at BG Wardak's home claimed to the investigation team on 14 FEB. Although the (b)(1)1.4a supports the assault force's assessment on the objective that one of the two males at the gate was Dawood, the (b)(1)1.4 also supports the locals' claim. The locals claimed that after the two men detected the force at the gate, they came into building 35 and warned the group of men at the party. They claim Dawood told the group of men to stay in the room and that he was going to get a weapon to protect them (Exhibit 12).

(i) (U//~~FOUO~~) The fact the family rented cooking pots for the party corroborates the part of the local national stories that there was a party celebrating the birth of a child. These cooking pots were located outside and (b)(6), (b)(7)(F) confirmed that these were the sort of pots rented for special occasions (Exhibits 13, 20).

(j) (U//~~FOUO~~) The phone call to PHQ from a person at the party claiming the compound was under attack from TB corroborates that the people in the compound did not believe that the force outside was CF (Exhibit 11).

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(k) (U//~~FOUO~~) Dawood's father showed the investigation team the newborn baby at the site during the 14FEB visit. The presence of the baby helps corroborate the locals' claim for the reason for the party.

(l) (U//~~FOUO~~) Food and musical instruments present in building 35 again corroborates the claim that the locals were having a party (Exhibit 13).

(3) (U//~~FOUO~~) There are considerable questions about the cause of the females' deaths and males' injuries because of the following: the investigation team was prevented from interviewing many of the local nationals on the objective and the local doctor that examined the female bodies; none of the bodies were autopsied; and there are multiple inconsistencies between what was observed and what has since been reported by local nationals. Below are some inconsistencies the investigation team discovered during the investigation:

(b)(1)1.4a

(b) (~~S//REL ISAF~~) (b)(1)1.4a of buildings 34 and 35 were only approximately 24-26 meters away from the male in the doorway (Exhibits 4 and 12). (b)(1)1.4a and said the room behind the armed male was well lit. Both shooters state they could clearly see there were no other people around or behind Zahir when he opened the door (Exhibit 11). Both shooters near simultaneously took their shots without coordinating between one another and without the hesitation expected had the shooters observed the presence of females or non-combatants in or around the doorway or target (Exhibits 4, 11, 12, 20).

(c) (~~S//REL ISAF~~) The investigation team assessed the cone of fire through the doorway to building 34, room 1A, to be about three feet in diameter. The team made this assessment by looking at round impact locations on the wall and door to room 2A directly behind where the assault force engaged Zahir (Exhibit 13). (b)(1)1.4a (b)(1)1.4a (Exhibit 12).

(b)(1)1.4a

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(b)(1)1.4a

(e) ~~(S//REL ISAF)~~ Even without being able to do an autopsy on the bodies, based on rounds found, (b)(1)1.4a and center of mass gunshot wounds to the male in the doorway, it is probable that most, if not all, of the rounds can be accounted for. All of the data supports the scenario of a small cone of fire through the doorway, the bullets' flight paths leading directly behind the target, and very little fragmentation or deflection of rounds into other parts of either room 1A or 2A (Exhibit 13).

(f) (U//~~FOUO~~) The scenario of these rounds leading to the death of the male in the doorway, killing the three females in the room, and wounding two additional males seems extremely improbable due to the relative small cone of fire and limited number of rounds actually fired through the doorway (Exhibit 13).

(g) (U//~~FOUO~~) Inside building 34, room 1A, the assault force, BHO law enforcement professionals (LEP), and the BSO medical officer did not find the amounts of blood expected with lethal gunshot wounds to five personnel and wounding gunshot wounds to two additional personnel. There was only one distinguishable blood spatter pattern in building 34 on the wall between the doors to 2A and 3A, possibly indicating only a single gunshot injury (Exhibits 4, 11 and 13).

(h) (U//~~FOUO~~) According to the LEP, this spatter pattern was not necessarily consistent with a "high velocity" injury. Additionally, there was little to no blood pooling below the bodies. At least one of the females killed and one of the males killed had what appeared to be lacerations on their chest. Additionally, one of the dead females appeared to have a knife wound to her throat and a defensive gunshot wound to her hand (Exhibits 11 and 13).

(i) (U//~~FOUO~~) On the exterior sill of the doorway to room 1A, the LEP located a blood pattern which appeared to be more consistent with blunt force trauma. To the LEP, it looked like someone had possibly slipped on the ice and split open his or her head on the hard concrete (Exhibit 11).

(j) (U//~~FOUO~~) Just prior to the departure of the BHO and remainder of TM SHA, a local doctor showed up at the scene. The doctor went into building 34, room 1A and closed the door (Exhibit 11).

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(k) (U//~~FOUO~~) ANP could not tell the investigation team the name of the local doctor. Thus, the team has not coordinated an interview with this doctor to determine the results of his findings.

(l) (U//~~FOUO~~) The assault force identified what it believed to be a pool of blood inside the SUV parked under the carport (Exhibit 13). However, the compound inhabitants refused to unlock and open the vehicle during SSE. During the investigation team's visit to the compound, inhabitants claimed they did not have the keys to the vehicle and could not open it for the investigation team. When asked where the keys were, the inhabitants first told the team that they buried the keys with Dawood (Exhibit 11).

(m) (U//~~FOUO~~) (b)(6), (b)(7)(F) heard the locals talking after this explanation. He heard one local turn to the local that gave the response and told him that he had "done well to answer the question that way". (b)(6), (b)(7)(F) was extremely suspicious of the locals' explanation. When the team highlighted this explanation as unlikely, the inhabitants then told the team the family members used the vehicle to take the wounded males to the hospital and one of the wounded males had the keys. However, they could not explain how the vehicle made it back to the compound if one of the wounded males in the hospital had the keys (Exhibits 11, 20).

(n) (U//~~FOUO~~) When members of the (b)(1)1.4a went to interview one of the wounded males at the hospital in Gardez, they began interviewing the doctor responsible for treating the male. The doctor offered to get the wounded male's "charts." However, Dr. (b)(6), (b)(7)(F) the Provincial Director of Public Health took over the interview and dismissed the doctor. The team has been unable to get the charts from the hospital (Exhibit 11).

(o) (U//~~FOUO~~) Although promised a video recorded interview with Dawood's and Zahir's mother, who reportedly had been in building 34, room 1A during the second engagement, the ANP failed to produce the video tape to the investigation team and have finally claimed the interview did not happen.

(b)(5), (b)(6)

(q) (U//~~FOUO~~) During all shuras, KLEs and official meetings there was little to no mention or concern for the death of the three women—the first genuine instance was during the

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meeting held at the Governor's guest house by the Gardez shura member. Although this may be based on the nuances of Afghan culture, it seems unlikely the death of three women integral to four different branches of the same extended family would get little mention in these meetings (Exhibit 2).

e. ***h. ~~(S//REL ISAF)~~ Describe the circumstances that led the Assault Force (AF) to claim that the female Local Nationals were killed?*** See paragraphs 5.e.(1) – (4) below.

i. ~~(S//REL ISAF)~~ Why did the Ground Force Commander (GFC) not report similar cultural custom preparations of the male EKIA to those reported for the deceased Local National females? See paragraphs 5.e.(1) – (4) below.

j. ~~(S//REL ISAF)~~ Determine the reason for discrepancies between the Assault Force description of the status of the deceased Local National females and what the SSE photos depict? See paragraphs 5.e.(1) – (4) below.

m. ~~(S//REL ISAF)~~ The SSE photos of the deceased Local National females depict relatively recent wounds to include non-coagulated and or dry blood – estimate the time of injuries sustained relative to the engagement of the military aged males. See paragraphs 5.e.(1) – (4) below.

n. ~~(S//REL ISAF)~~ The GFC reported via Radio Telephone that the deceased Local National females appeared to have been killed approximately 12-48 hours prior to actions on the objective, yet the remains were collocated with EKIA, and based upon SSE photos, had what appeared to be similar wounds relative to the time of sustainment. What led the GFC to make statements contrary to SSE photo depictions – was this an attempt to deceive? See paragraphs 5.e.(1) – (4) below.

o. ~~(S//REL ISAF)~~ Did any element of (b)(1)1.4a deliberately deceive the Commander of (b)(1)1.4a about the circumstances or events of (b)(1)1.4a? See paragraphs 5.e.(1) – (4) below.

(1) ~~(S//REL ISAF)~~ During the operation, some erroneous reports were made due to the confusion of the situation, specifically the fact the females on the scene were bound and gagged. This reporting likely led to reports, which called the females' deaths the result of an "honor killing", as well as a local report that assault force bound and executed the women on the scene. Despite what is now believed to be erroneous reporting, there is no evidence that any of the (b)(1)1.4a personnel or the GFC intended to deceive higher headquarters (Exhibits 11, 19).

(2) (U//~~FOUO~~) The wraps around the dead bodies' heads and toes seemed extremely unusual to the GFC and all (b)(1)1.4a personnel; the lack of significant blood pooling, blood spatter and already pale coloration of some of the female bodies; the identification of possible different types of wounds on the bodies (possible lacerations, knife wounds, and gunshot

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wounds); and the initial opinion of assaulters that the bodies had been dead for at least 12 hours, led the GFC to make his specific radio reports (Exhibits 11, 13).

(b)(1)1.4a, (b)(5)

(4) ~~(S//REL ISAF)~~ Some of the discrepancies in the timeline hindered the ability of the BSO and Incident Response Team to do good consequence management as some of the facts of the operation were reported at the wrong time or out of order. Trying to make corrections to the information already provided to the ANP and Afghan leaders was difficult for the BSO and the Incident Response Team (Exhibits 3, 10).

(b)(1)1.4a

g. ***q. (U//~~FOUO~~) Describe the Battle Hand Over (BHO) which occurred on the objective;*** See paragraphs 4.d.(26) – (30) above.

h. ***r. (U//~~FOUO~~) Whether the measures employed during the conduct of this operation were in accordance with established TTPs, Tactical Directives, and Rules Of Engagement;*** After my analysis of the measures employed by the assault force, I find that the assault force was in accordance with TTPs, Tactical Directives, and Rules Of Engagement during this operation.

i. ***s. (U//~~FOUO~~) Any recommendations, lessons learned and other matters you deem relevant to this inquiry.*** See paragraphs 6.a – 6.c below.

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j. ***t. (~~S//REL ISAF~~) Did the AF and leadership actions represent Army values?*** After an analysis of their actions, I find each (b)(1)1.4a member acted in accordance with (b)(1)1.4a (b)(1)1.4a core values.

6. **(U//~~FOUO~~) Recommendations:** A (b)(1)1.4a primary concern during operations is to reduce the occurrence of unintended casualties. Other considerations include improving consequence *management, reporting and making amends with the local populace when casualties* do occur. These recommendations attempt to reach these goals.

(b)(1)1.4a, (b)(5), (b)(7)(E)

(1) (U) Analysis and review of the tactical situation:

(b)(1)1.4a, (b)(5), (b)(7)(E)

(2) (U//~~FOUO~~) Better integration with Afghans: Our partnership with legitimate Afghan forces, such as the APU, provides us the best opportunities for accountability and support from both the BSO and local Afghan authorities.

(b)(1)1.4a, (b)(5), (b)(7)(E)

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(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//~~FOUO~~)

(b)(1)1.4a, (b)(5), (b)(7)(E), (b)(7)(F)

(1) (U//~~FOUO~~) "Information's Critical Minute:" (b)(1)1.4a (b)(1)1.4a The same concept applies in the information battlespace. In this instance, the desire for quick updates to the situation led to incomplete or inaccurate information from the ground force to higher headquarters. Initial reporting invariably has a certain level of inaccuracy because either the situation has not completely developed or the person reporting it has not yet completely digested the situation. IJC should have recognized the unusual circumstances of the reporting and resisted a press release until after (b)(1)1.4a produced a more refined report of the situation.

(b)(1)1.4a, (b)(5)

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(b)(1)1.4a, (b)(5), (b)(7)(E)

c. **(U) Making Amends *with the Local Populace:***

(1) (U//~~FOUO~~) The fact that the Afghan medical authorities did not conduct an autopsy, the unlikely ballistics and blood evidence to support the killing of five and wounding of two people and the fact that ANP did not afford the investigation team an opportunity to talk to the local doctors casts doubt on the exact cause of the incident.

(2) (U//~~FOUO~~) The doubt is enough that I do not recommend accepting responsibility for the deaths of the three females. As previously stated, I assess the most likely cause of the incident is "shoot throughs" during the second engagement but maintain **the results are inconclusive.**

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(b)(1)1.4a

SUBJECT: Army Regulation 15-6 Investigation into the civilian deaths that occurred on (b)(1)1.4a on period of darkness 11-12 February 2010. (U//~~FOUO~~)

(3) (U//~~FOUO~~) Regardless, I believe that the locals are convinced and will remain convinced despite any additional empirical or witness derived evidence that the assault force killed the women. Therefore, I recommend that CF make an appropriate condolence payment to the family as a sign of good faith in our sincerity at the seriousness of the incident, and our hope to move past this incident and build trust with the local populace.

4. (b)(3), (b)(6)

(VoSIP)

(b)(3), (b)(6)

Investigating Officer

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27FEB10

From:
To: (b)(3), (b)(6)

SUBJ: SUMMARIES OF INFORMATION GATHERED DURING (b)(1)1.4a SITE VISIT on 14FEB10 AND INTERVIEWS CONDUCTED ON 16-178FEB10

(b)(1)1.4a, (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

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HEADQUARTERS
(b)(1)1.4a
BAGRAM, AFGHANISTAN

REPLY TO
ATTENTION OF

(b)(1)1.4a

13 February 2010

MEMORANDUM FOR (b)(3), (b)(6)

SUBJECT: Appointment as Investigating Officer (U//~~FOUO~~)

1. ~~(S//REL ISAF)~~ Appointment. You are hereby appointed as an investigating officer pursuant to AR 15-6 to conduct an inquiry into the facts and circumstances surrounding the execution of the Task Force Operation into (b)(1)1.4a vicinity of Gardez District, Afghanistan on 11-12 February 2010.

2. ~~(S//REL ISAF)~~ You are to lead the (b)(1)1.4a investigating team consisting of yourself, (b)(6) (b)(1)1.4a, (b)(3), (b)(6) member), and (b)(6) (GIRoA designated member of the (b)(1)1.4a). It is imperitive that this investigation be conducted in full coordination and collaboration with (b)(1)1.4a, and the GIRoA representatives. This investigation is your primary duty and takes precedence over all other assigned duties.

3. (U//~~FOUO~~) Legal Orientation. Before you begin your inquiry, you will consult with the Task (b)(3), (b)(6) He will serve as your legal advisor during the inquiry.

4. (U//~~FOUO~~) Procedures. You are to conduct this investigation using the informal procedures outlined in Chapter 4, AR 15-6. You are to thoroughly document all witness interviews in writing. DA Form 2823s, or appropriate Sworn Statements, must be used if at all possible. If at any time during interviews or collection of statements you suspect misconduct, you must immediately advise that individual of his or her rights by executing a DA Form 3881, or appropriate Rights Warning Certificate, before you continue. Consult your legal advisor prior to advising anyone of his or her rights.

5. ~~(S//REL ISAF)~~ Report of Investigation. Specifically, your inquiry shall address the following:

a. (U//~~FOUO~~) The detailed facts and circumstances surrounding the conduct of the operation and all follow-on actions in mitigation, coordination, and assistance;

b. (U//~~FOUO~~) Describe the methods used to gain entry into targeted compounds and structures during the mission and their effectiveness;

c. (U//~~FOUO~~) The nature and extent of any injuries or casualties encountered upon, or as a result of, the conduct of this operation and include any subsequent medical care offered, provided, and/or declined;

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(b)(1)1.4a

SUBJECT: Appointment as Investigating Officer

d. ~~(S//REL ISAF)~~ Whether the employment of force by each element was a result of a demonstration of hostile intent, hostile act, or imminent threat;

e. ~~(S//REL ISAF)~~ Whether the amount of force used in each case was necessary and proportional under the circumstances;

f. ~~(S//REL ISAF)~~ What, if any, steps were taken to escalate and/or deescalate the use of force for any engagements;

g. ~~(S//REL ISAF)~~ Provide assessment for cause of death of deceased Local National females and is it consistent with the GFC's reports to (b)(1)1.4a?

h. ~~(S//REL ISAF)~~ Describe the circumstances that led the Assault Force (AF) to claim that the female Local Nationals were killed?

i. ~~(S//REL ISAF)~~ Why did the Ground Force Commander (GFC) not report similar cultural custom preparations of the male EKIA to those reported for the deceased Local National females?

j. ~~(S//REL ISAF)~~ Determine the reason for discrepencies between the Assault Force description of the status of the deceased Local National females and what the SSE photos depict?

k. ~~(S//REL ISAF)~~ Did the Assault Force use appropriate de-escalation Tactics, Tachniques, and Procedures to include (b)(1)1.4a specifically for Tactical Call-Outs?

l. ~~(S//REL ISAF)~~ Who conducted the Tactical Call-Outs (TCOs), what was the location of the individuals conducting TCOs relative to occupants of the targeted compounds, and was it reasonable to assume TCOs could be heard by occupants?

m. ~~(S//REL ISAF)~~ The SSE photos of the deceased Local National females depict relatively recent wounds to include non-coagulated and or dry blood – estimate the time of injuries sustained relative to the engagement of the military aged males.

n. ~~(S//REL ISAF)~~ The GFC reported via Radio Telephone that the deceased Local National females appeared to have been killed approximately 12-48 hours prior to actions on the objective, yet the remains were collocated with EKIA, and based upon SSE photos, had what appeared to be similar wounds relative to the time of sustainment. What led the GFC to make statements contrary to SSE photo depictions – was this an attempt to deceive?

o. ~~(S//REL ISAF)~~ Did any element of (b)(1)1.4a deliberately deceive the Commander of (b)(1)1.4a (b)(1)1.4a about the circumstances or events of (b)(1)1.4a?

p. ~~(S//REL ISAF)~~ Describe how the AF utilized the APU during this mission;

q. (U//~~FOUO~~) Describe the Battle Hand Over (BHO) which occurred on the objective;

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(b)(1)1.4a

SUBJECT: Appointment as Investigating Officer

r. (U//~~FOUO~~) Whether the measures employed during the conduct of this operation were in accordance with established TTPs, Tactical Directives, and Rules Of Engagement; and

s. (U//~~FOUO~~) Any recommendations, lessons learned and other matters you deem relevant to this inquiry.

t. ~~(S//REL ISAF)~~ Did the AF and leadership actions represent Army values?

6. ~~(S//REL ISAF)~~ I ask you to pay particular attention to the battlefield geometry as it relates to actions on the objective. This should include the known positions of friendly personnel as well as any known and/or suspected positions of combatants and noncombatants. This will assist the (b)(1)1.4a in developing lessons we can learn and promulgate throughout the (b)(1)1.4a and greater Coaltion Force.

7. ~~(S//REL ISAF)~~ You will provide an interim report of your progress to me NLT 15 February 2010 and be prepared to provide any necessary follow-on reports as necessary. This report will classified at the SECRET//REL ISAF level.

8. ~~(S//REL ISAF, GIRoA)~~ You are to submit your findings and recommendations on a DA Form 1574 through your legal advisor to me with all attached exhibits no later than 19 February 2010. Ensure your investigation report, to include exhibits and attachments, is properly classified and contains the proper classification markings throughout. You are to produce your report at the SECRET//REL ISAF level. If any exhibits contain classified Focal Point//ACCM material, those should be redacted to achieve a classification no higher than SECRET//REL ISAF level prior to inclusion in the report. You are authorized to produce an additional, separate report at a higher classification level should you desire to do so or deem it necessary. Contact your legal advisor if you have any questions. Submit any requests for modification of this requirement, your suspense, or the scope of your investigation to me, through your legal advisor.

(b)(3), (b)(6)

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KEY TERMS

AAF-Anti-Afghan Forces
ANP-Afghan National Police
ANSF-Afghan National Security Forces
APU-Afghan Partner Unit

BCT-Brigade Combat Team
BHO-Battle Handover
BSO-Battlespace Owner

CASEVAC-Casualty Evacuation
CF-Coalition Forces
CONOP-Concept of the Operation

GFC-Ground Force Commander
GIRoA-Government of the Islamic Republic of Afghanistan

HCH-High-Confidence Hit
HTT-Human Terrain Team

IJC-ISAF Joint Command
IO-Information Operations
IOT-In order to
ISAF-International Security Assistance Force
ISR-Intelligence, Surveillance, and Reconaissance

KLE-Key Leader Engagement

JOC-Joint Operations Center

LCC-Last Cover and Concealment
LEP-Law Enforcement Professional
LN-Local National

MAM-Military-Aged Male
MDMP-Military Decision Making Process
MoI-Ministry of Interior

NDS-National Directorate of Security
NSTR-Nothing Significant to Report

OCG-Operations Control Group

PAO-Public Affairs Office(r)
PHQ-Police Headquarters
PL-Platoon Leader
POL-Pattern of Life

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PRT-Provincial Reconstruction Team

QRF-Quick Reaction Force

RFI-Request for Information

SAW-Squad Automatic Weapon
SI-Special Intelligence
SNOT-Sniper and Observation Team
SSE-Sensitive Site Exploitation

TB-Taliban
TCO-Tactical Callout
TI-Targeted Individual
TQ-Tactical Questioning
TSE-Tactical Site Exploitation
TST-Time-Sensitive Target

UIM-Unidentified Male
UNS-Universal Night Scope
USFOR-A-US Forces-Afghanistan

VBIED-Vehicle-Borne Improvised Explosive Device

WARNORD-Warning Order

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SEQUENCE OF EVENTS

TIME	EVENT
(b)(1)1.4a	Call was made to (b)(1)1.4a of potential TGT name and Grid location
	(b)(1)1.4a, (b)(6)
	ACGU CONOP was sent to (b)(1)1.4a for further distribution
	Final CONOP was submitted
	BG Fuller was briefed and DECON was complete with concurrence
(b)(1)1.4a	(b)(1)1.4a
(b)(1)1.4a	1st EKIA from bldg 34 in courtyard
	1 x MAM exit bldg 34 and dragged the EKIA and AK-47 back into bldg 34; this MAM was not engaged by the AF
	2nd EKIA from bldg 34
	(b)(1)1.4a
	APU begins clearance of target compound
	APU clearance of bldg 34 revealed 2 x EKIA and 3 x local national female deceased bodies with toes tied and heads wrapped
	2 x EWIA found in bldg 35
	30-series compound secure; SSE: 3x AK-47, 7 x grenade, 2 x RPG motors, 1 x chestrack, 3 x grenade fuse
	AF linked up with BHO element
	AF completed BHO
	Non-essential personnel conducted RW exfil
	(b)(1)1.4a APU and (b)(1)1.4a personnel remain on target; link-up with BSO forces to execute BHO; conducted Shura with local leadership; met with BSO Bn Cdr and ANP General (GEN Wardak) on target
	Remainder of AF arrived (b)(1)1.4a

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(b)(1)1.4a

/FINAL ROLL-UP 11 FEB 10

Roll-up:
Bldg 34: 6/3/4/6, 3 x LN female bodies, 2 x EKIA, 4x detainees
Bldg 35: 32/5/6/16, 2 x EWIA, 4 x detainees

TOTAL: 38/8/10/22. 3 x LN female bodies, 2 x EKIA, 2 x EWIA, 8 x detainees

SSE:
3 x AK-47s
12 x magazines
7 x frag grenades
2 x RPG Motors
1 x chest rack
3 x grenade fuses

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RECCE CHECKPOINTS ((b)(1)1.4a)

Fix/Point	Latitude	MGRS
Description	Longitude	UTM

(b)(1)1.4a

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RECCE CHECKPOINTS (b)(1)1.4a

Fix/Point Description	Latitude Longitude	MGRS UTM

(b)(1)1.4a

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CHALK LOAD

(b)(1)1.4a

(b)(1)1.4a

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(b)(1)1.4a, (b)(6)

PAKTYA PROVINCE

(b)(1)1.4a

(b)(1)1.4a

FEB 10

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RECEIPTS

DETENTION INFORMATION

This operation was conducted based on information that activities or individuals who are threat to the Government of the Islamic Republic of Afghanistan were present at this location. The individuals listed on the attachment are suspected to either be a threat or have information about threats to the Islamic Republic of Afghanistan. They have been temporarily detained.

Anyone who has been detained will be treated humanely and with respect. If medical care is necessary it will be provided. The intention is to return any individuals who are not a threat as quickly as possible. If you have not received information on anyone who was detained within 5 days, you may call (b)(6) for information.

DARI

معلومات بازداشت

[illegible]

(b)(6)

PASHTU

د توقیف په اړه معلومات

[illegible]

(b)(6)

RECEIPT FOR PROPERTY

The following property was seized as suspected contraband or because it may contain information regarding threats to the Government of the Islamic Republic of Afghanistan. If the property is not illegal or relevant to any threat, it will be returned as soon as possible. If it cannot be returned and is not contraband or threat-related, you may be compensated for it. If you have not received your property back within 5 days, you may contact the following phone number (b)(6) for information regarding its status.

[illegible] (b)(6)	[illegible] (b)(6)

DOCUMENTS		
☑ PASSPORTS/ID CARDS		8
☐ PHOTOS		
☐ BOOKS/NOTE BOOKS		
☐ AUDIO/VIDEO CASSETTES		
☐ DVD		
☐ OTHER		

WEAPONS		
☑ AK-47		7
☐ SKS RIFLE		
☐ BOLT ACTION RIFLE		
☐ PKM RIFLE		
☐ SHOTGUN		
☐ PISTOL		
☐ RPG		
☑ GRENADE		7
☑ OTHER Rocket Motor		2

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RECEIPTS

MILITARY EQUIPMENT

- ☑ MAGAZINE — 12
- ☑ AMMO — 500
- ☑ CHEST RACK — 1
- ☐ IED MATERIALS
  - A
  - A
  - A
  - A
- ☐ BAGS OF FERTILIZER
- ☑ FATIGUES (ind) — 3
- ☑ OTHER ITEMS Grenade Areas

ELECTRONICS

- ☑ CELL PHONE — 5
- ☐ CAMERA
- ☐ COMPUTER TOWER
- ☐ COMPUTER HARD DRIVE
- ☐ LAP TOP
- ☐ VIDEO CAMERA
- ☐ ICOM RADIO
- ☐ OTHER ITEMS

MONEY

- ☐ AFGHAN CURRENCY
- ☐ PAKISTAN CURRENCY
- ☐ U.S. DOLLARS
- ☐ OTHER

ADDITIONAL ITEMS

ELDER SIGNATURE _____

(b)(6)

REPORT OF PROPERTY DAMAGE

(Dari)

(Pashtu)

This acknowledges that the property listed below was damaged during the course of an operation. It also indicates whether you have been compensated for the damage. If you have not received immediate compensation, please wait 5 days before contacting the following phone number (b)(6) for information regarding compensation.

Dari

گزارش خسارهٔ اجناس و لوازم

(b)(6)

Pashtu

د جنسونو او لوګو د زیان رپوټ

(b)(6)

Provide a brief description of damaged property sufficient to identify it and general assessment of its value. Indicate whether compensation has been paid and in what amount.

1. Damaged Gate (Explosive Breach)
2. 2 Broken windows · Bldg 34
3.
4.
5.

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COMMANDER'S COMMENTS

(b)(1)1.4a, (b)(3), (b)(5), (b)(6), (b)(7)(E), (b)(7)(F)

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(b)(1)1.4a

EWIA: BLDG 35 – 11 FEB 10

- Video footage available for 2 x EWIA during questioning about how they were wounded.

1 x EWIA said he was injured in an explosion. 1 x EWIA said he was shot in BLDG 35. Both were treated for gunshot wounds.

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(b)(1)1.4a

Pictures

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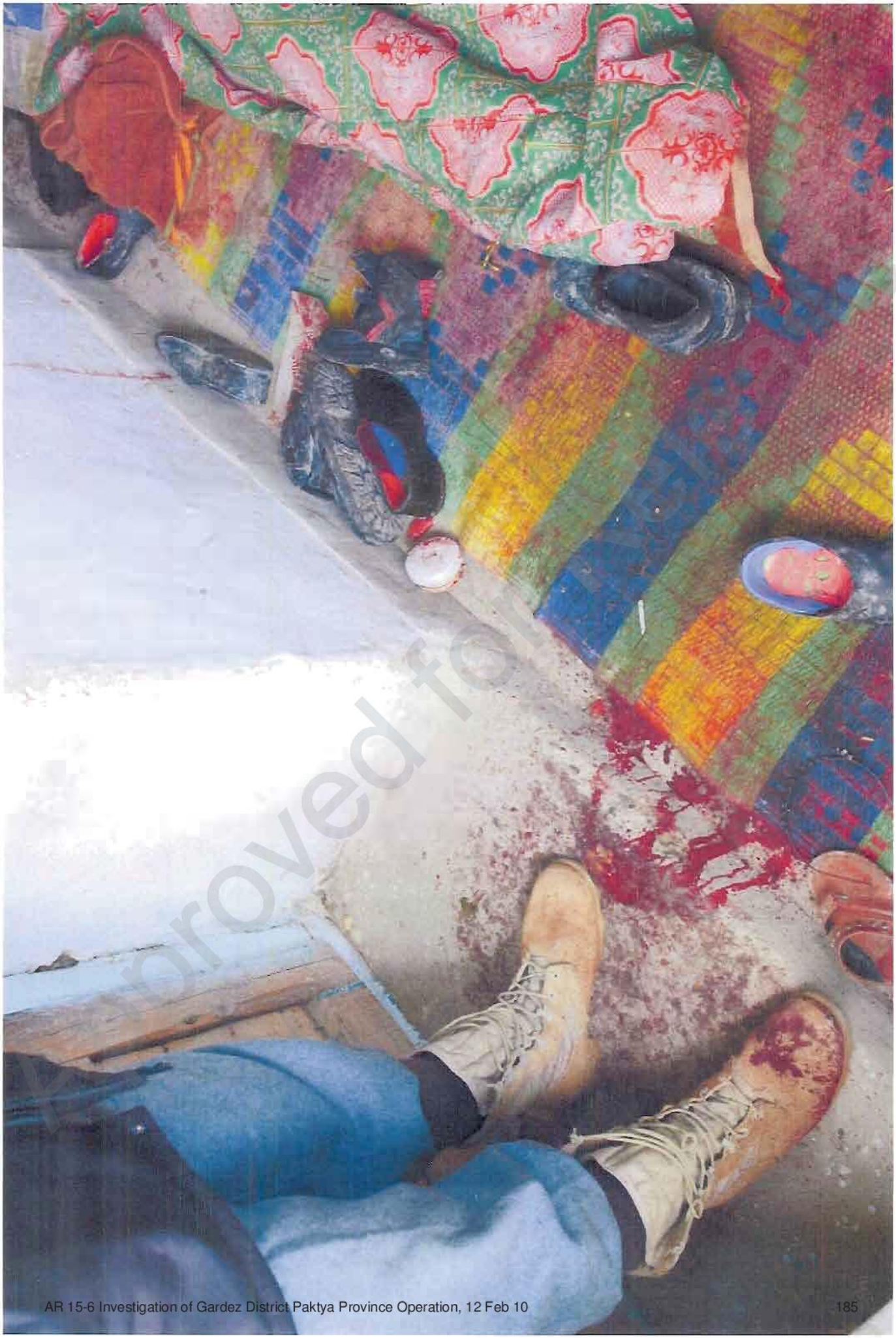

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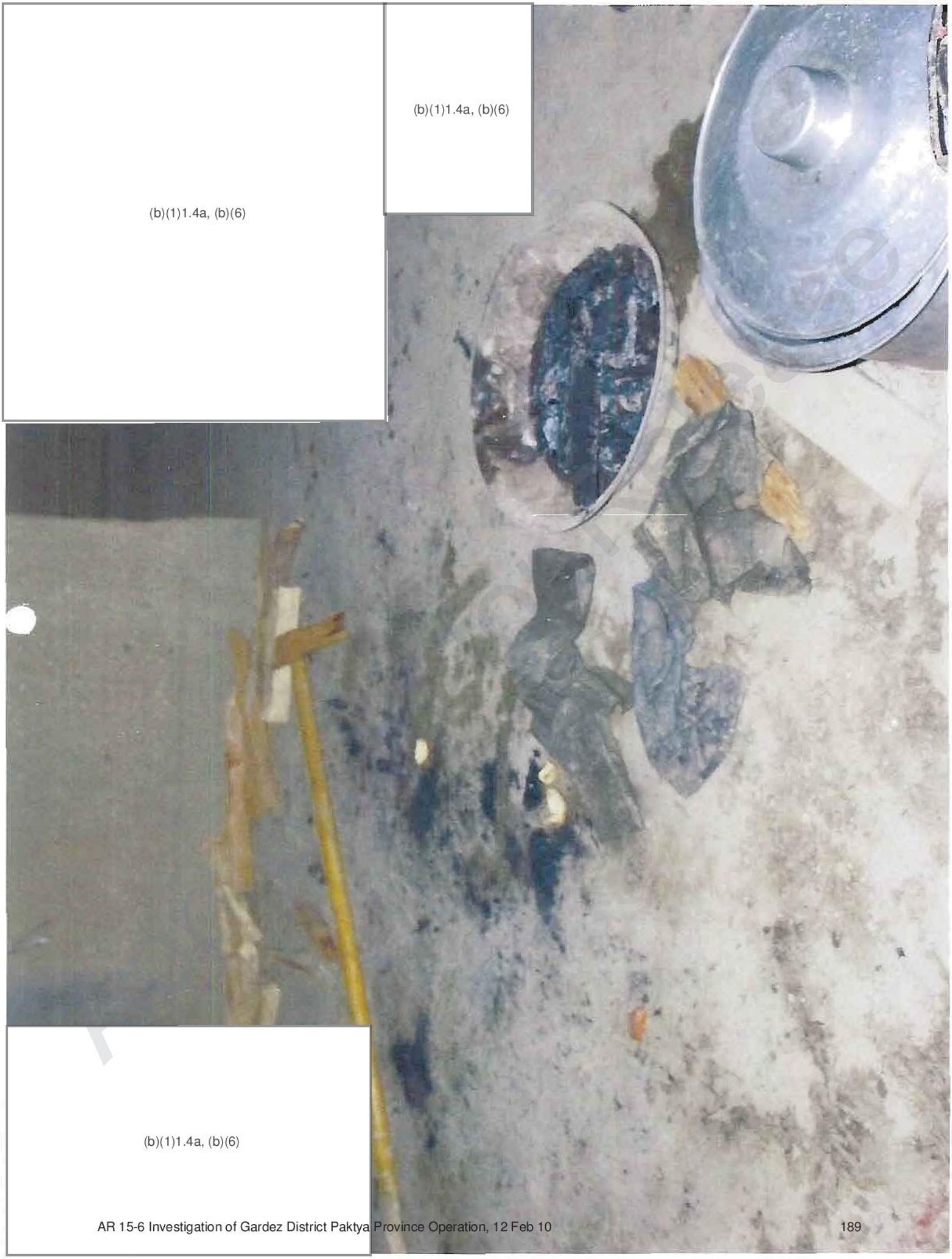
AIBA WORKS
Turbo
TOYOTA
SURF
IPF

(b)(1)1.4a, (b)(6)

(b)(1)1.4a, (b)(6)



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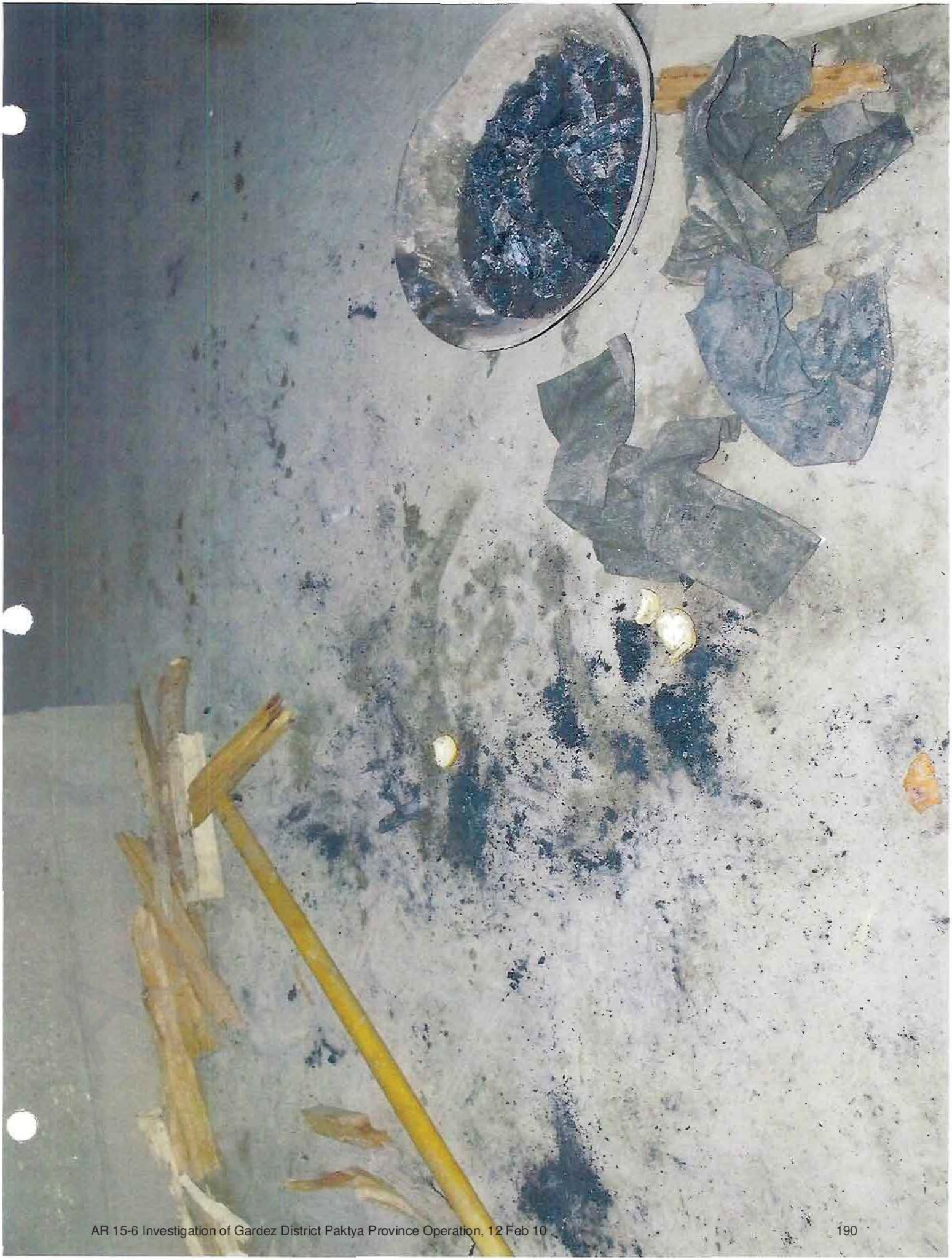

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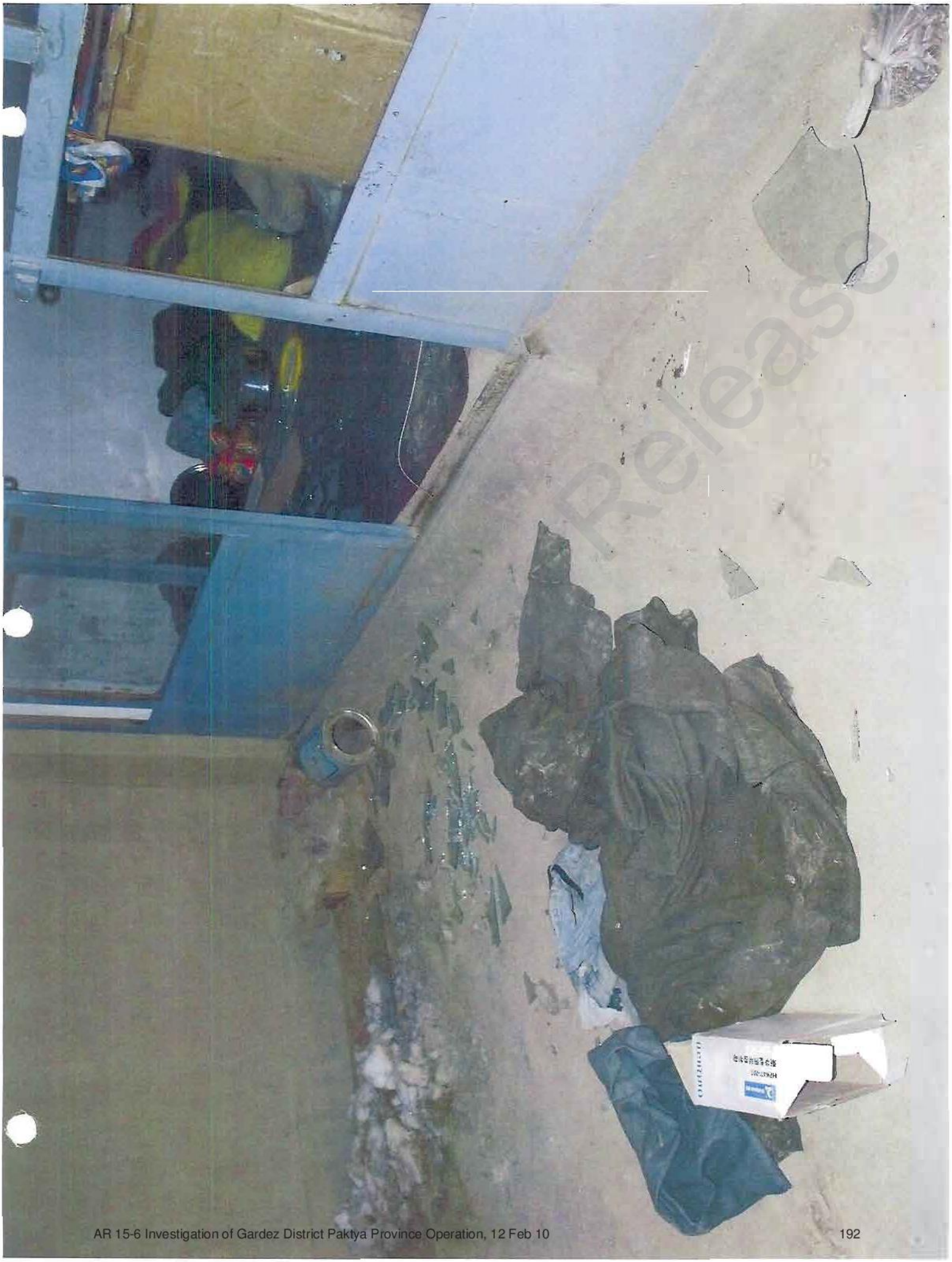

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Release

For Release

Public Release

Approved for public release

NRC

(b)(1)1.4a

Gardez Photos

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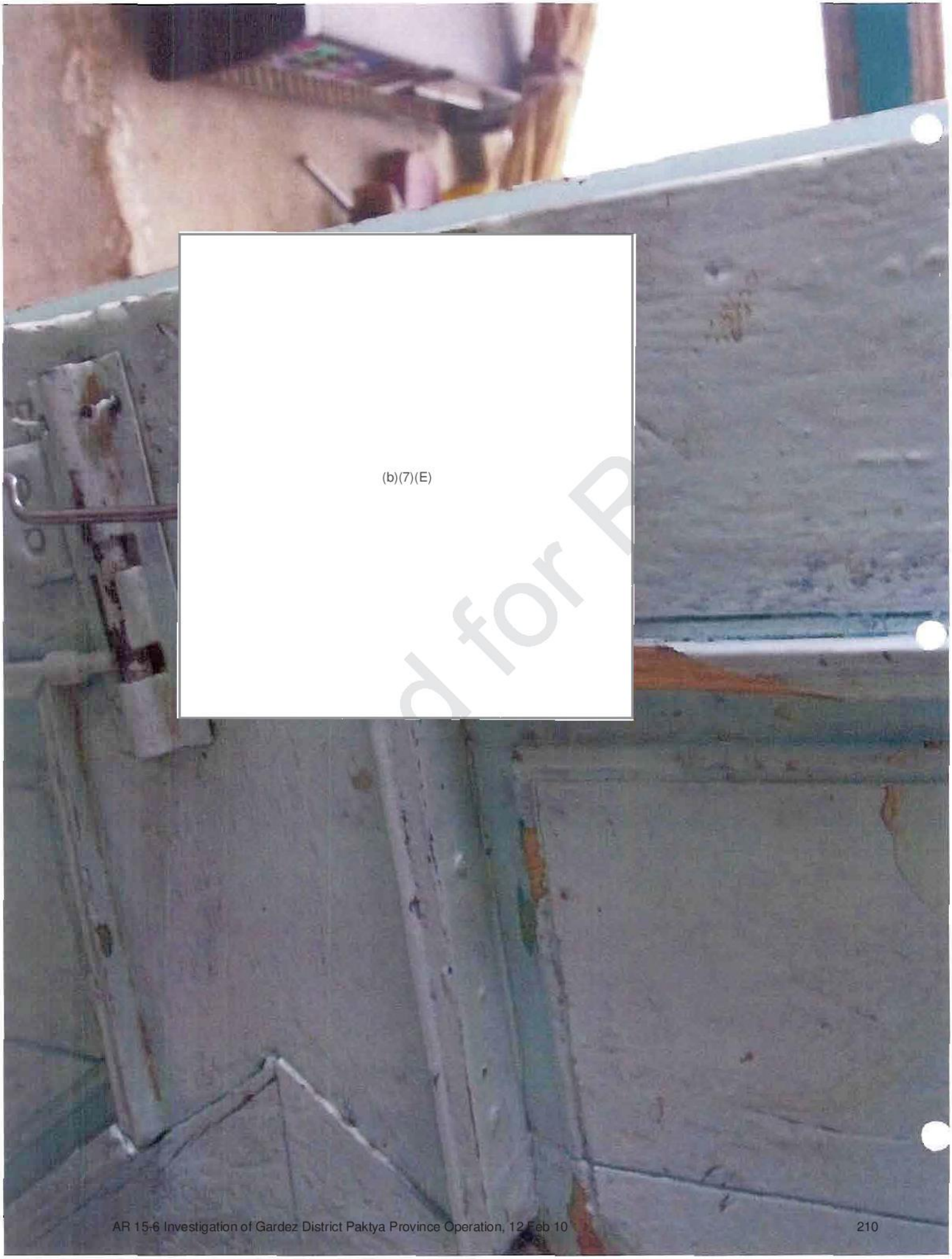
(b)(7)(E)

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(b)(1)1.4a, (b)(6)

(b)(6)

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(b)(1)1.4a, (b)(3), (b)(6)

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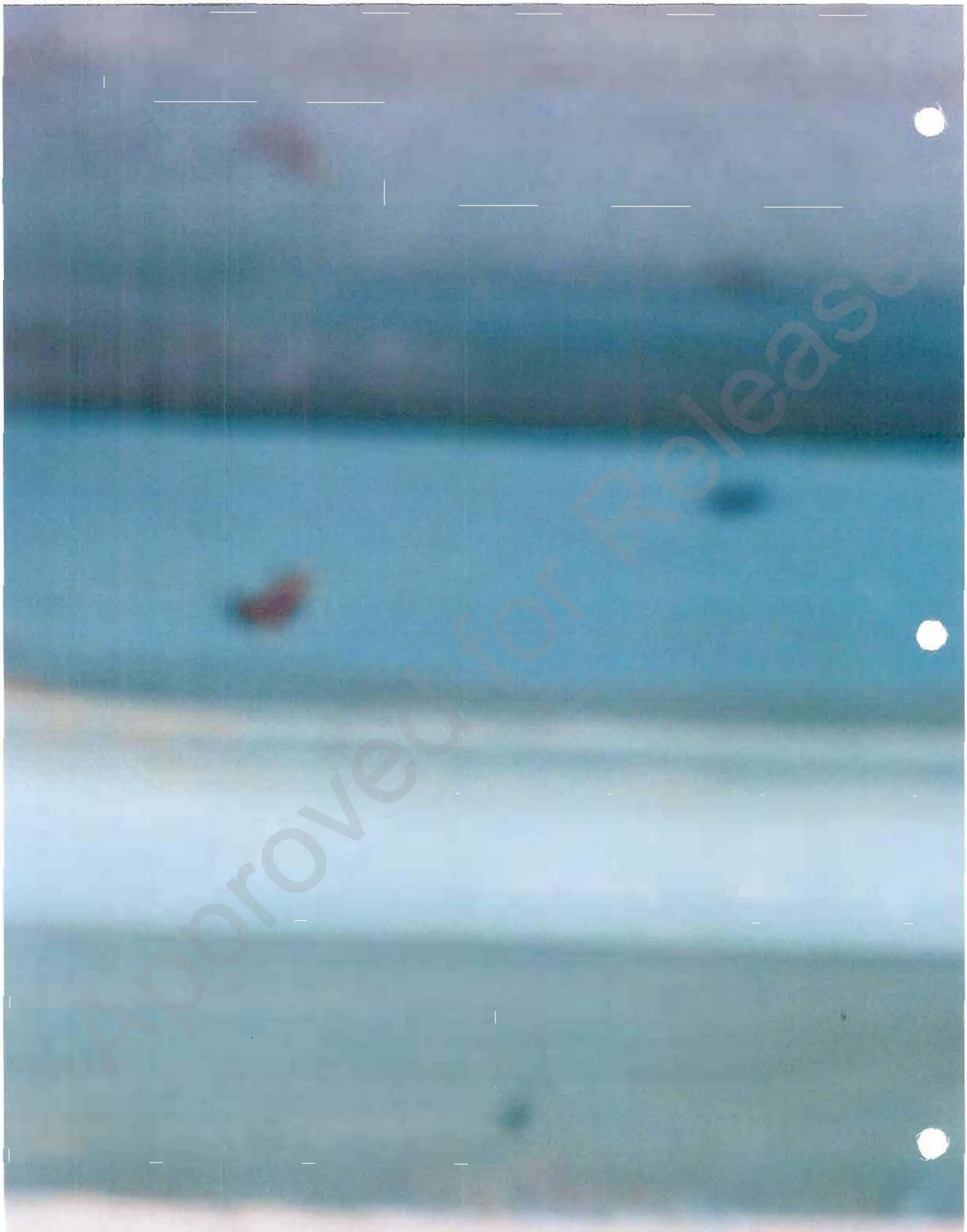

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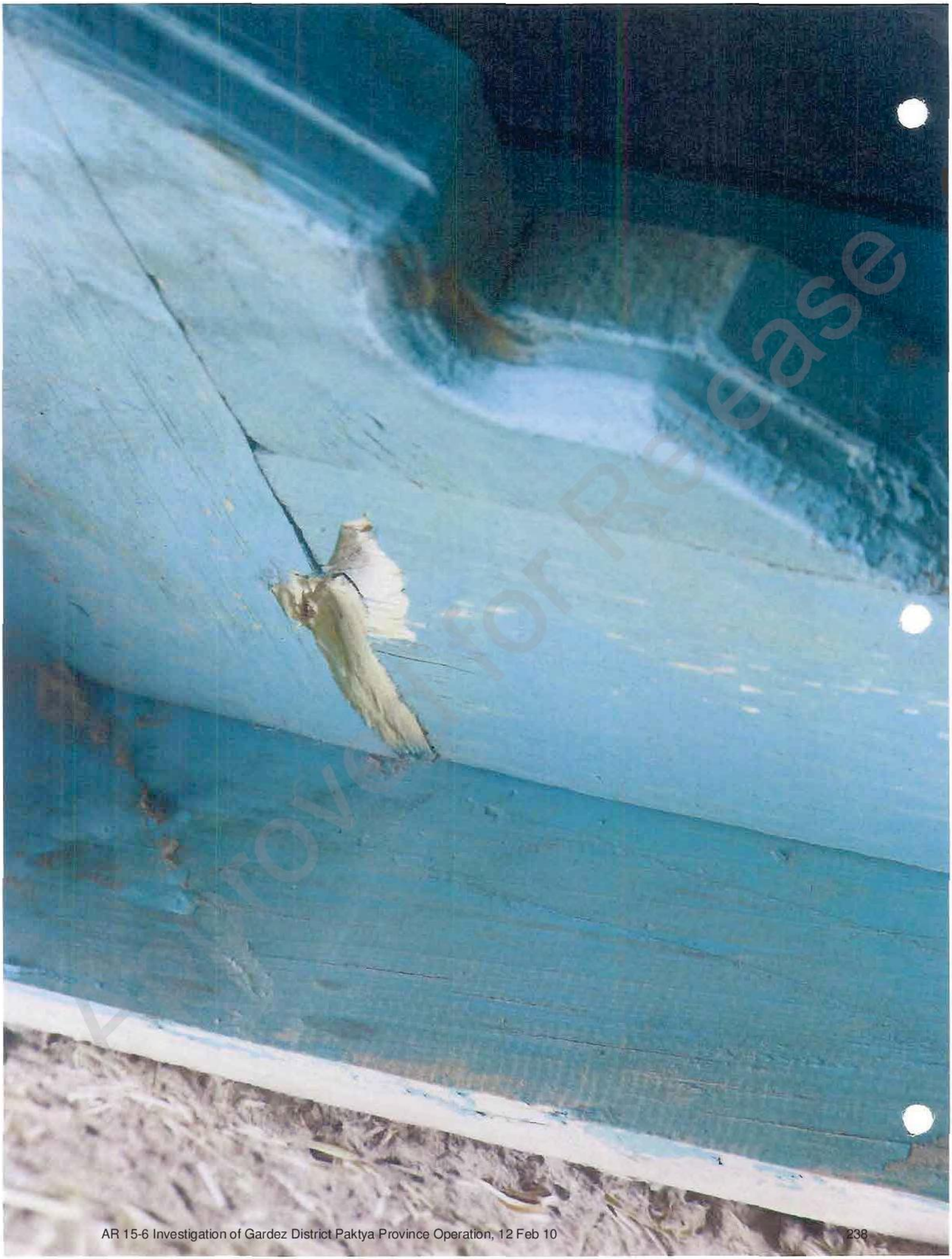

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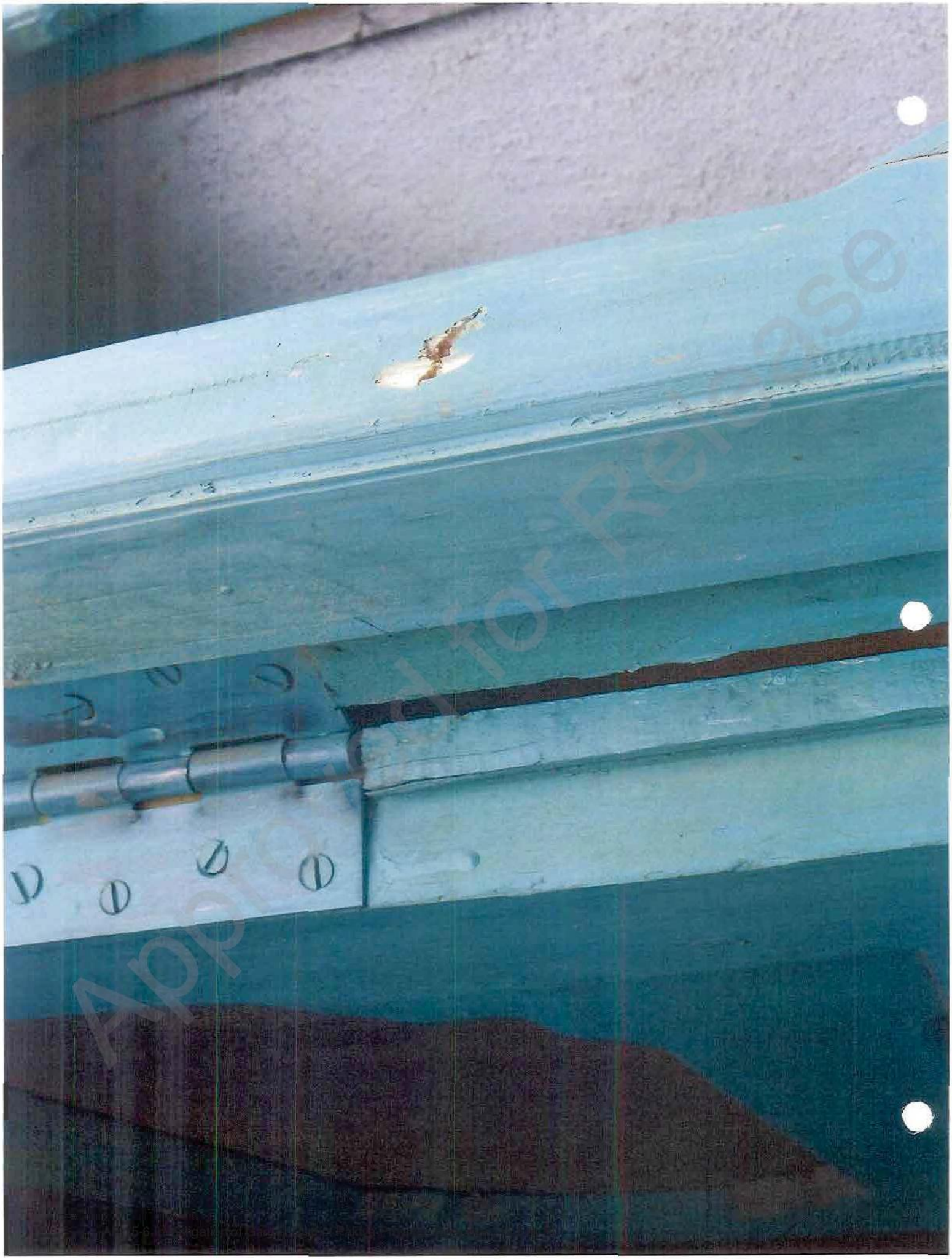

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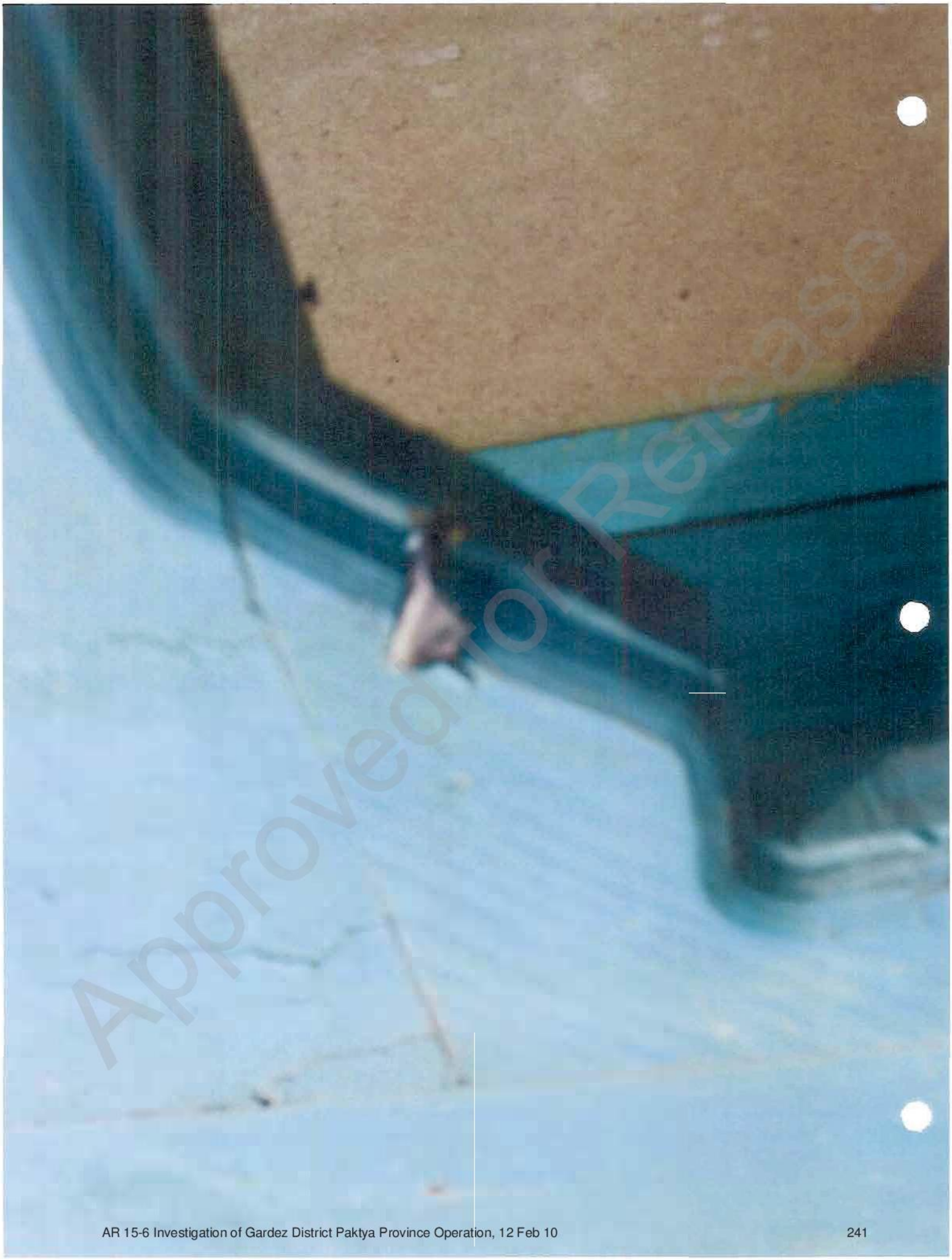

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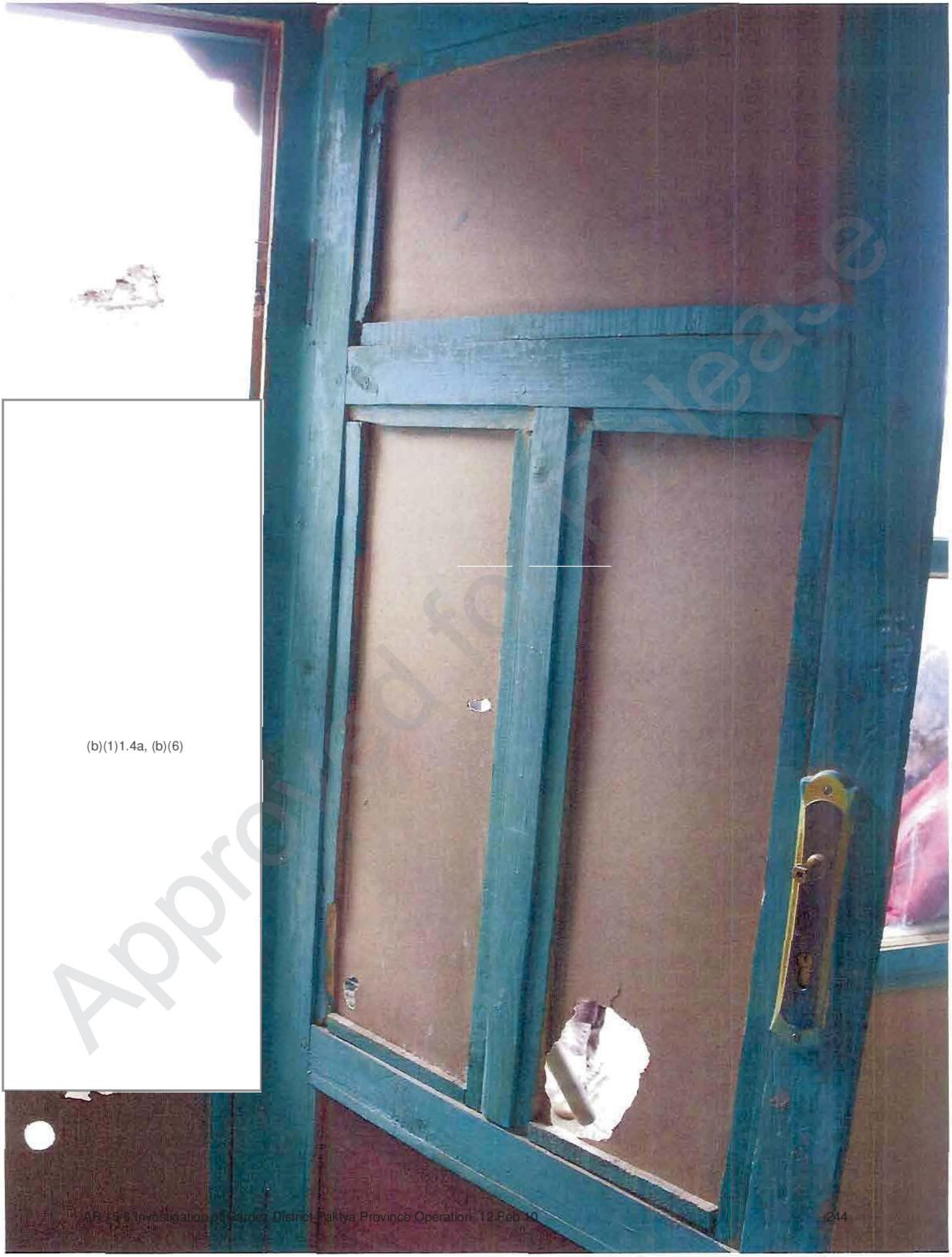

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Release

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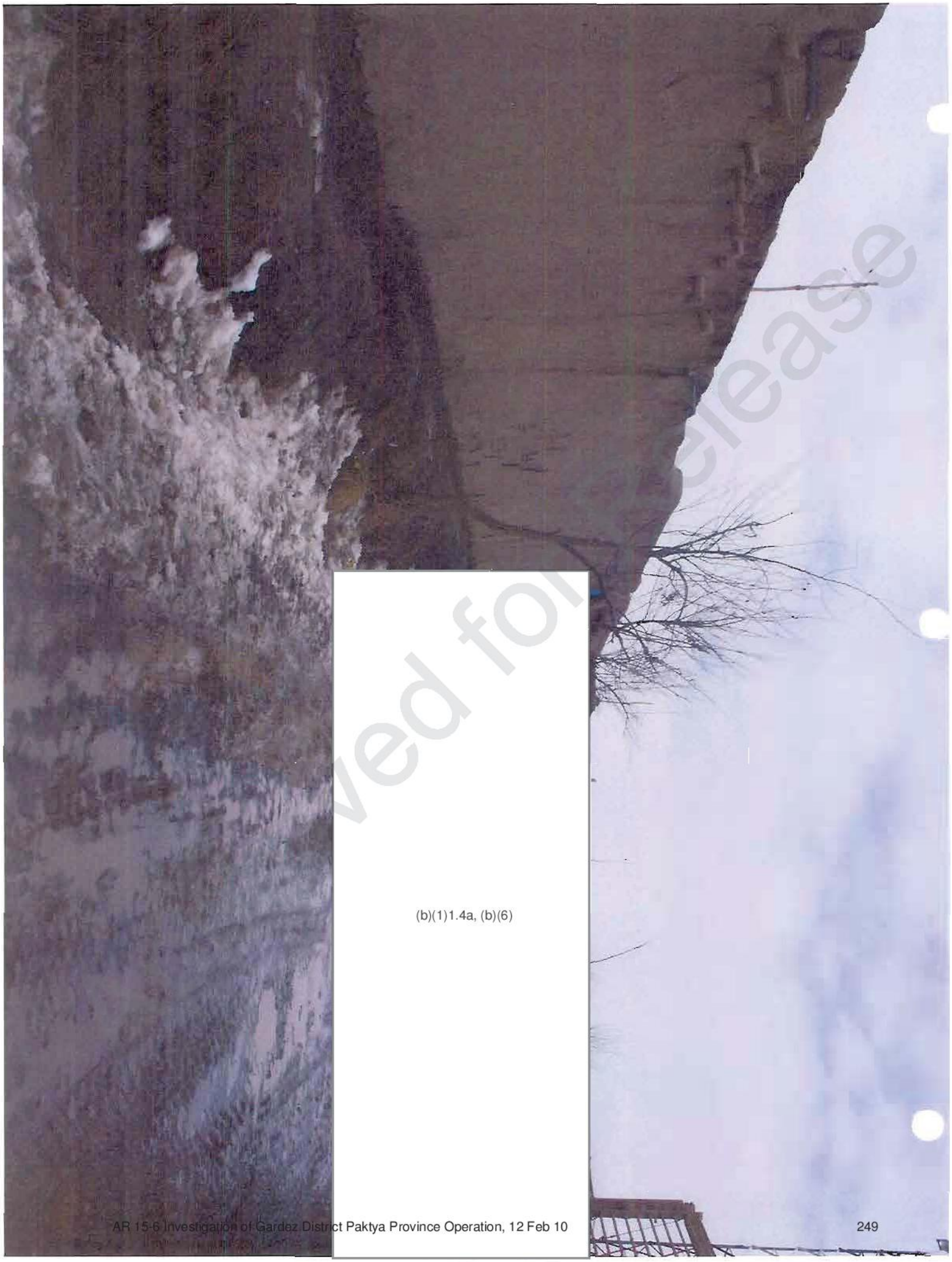

(b)(1)1.4a, (b)(6)

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BHO Pictures

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14 Feb Visit to Site

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AR 15-6 Investigation Top-A Capture Operation, 12-06-10

(b)(1)1.4a, (b)(6)

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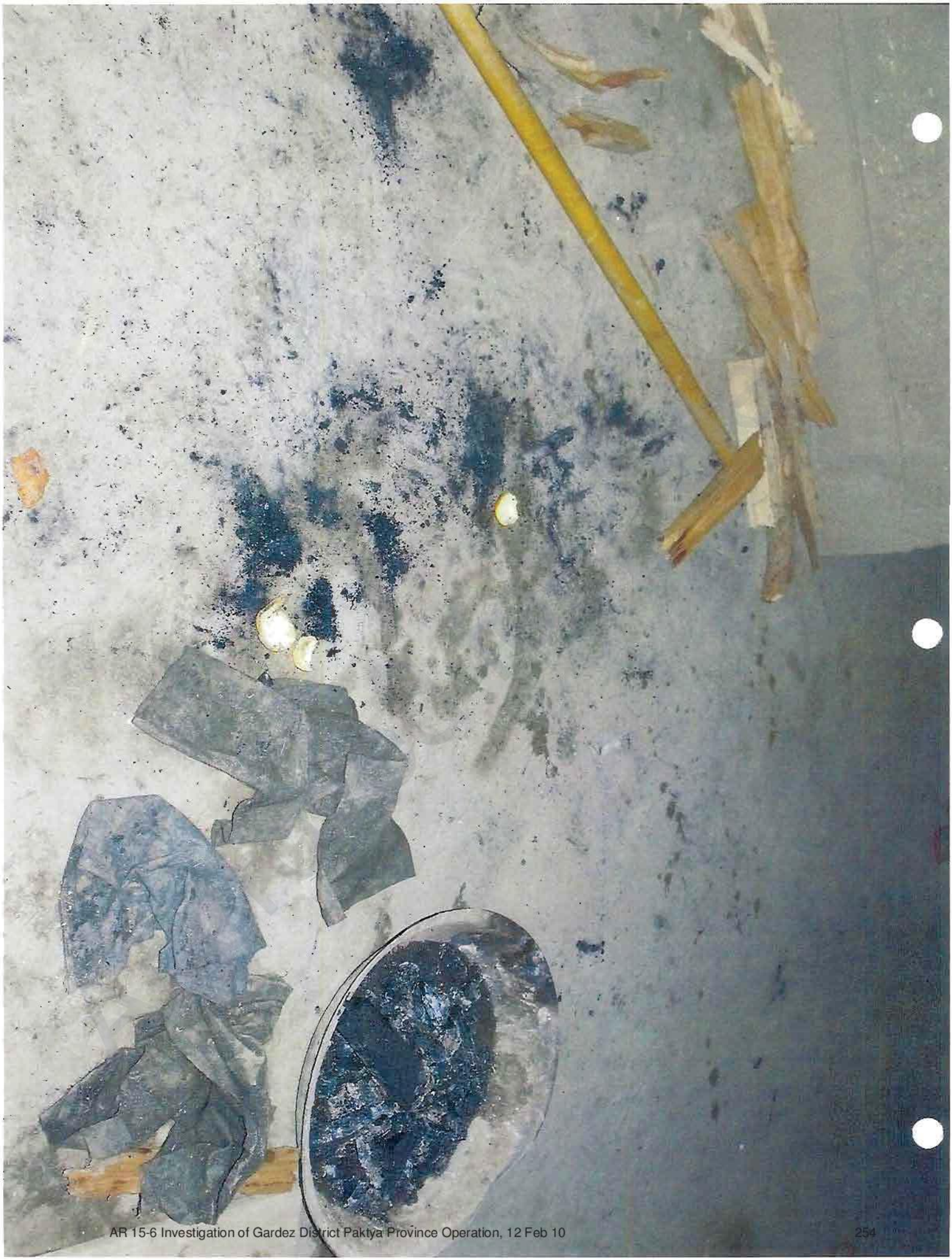

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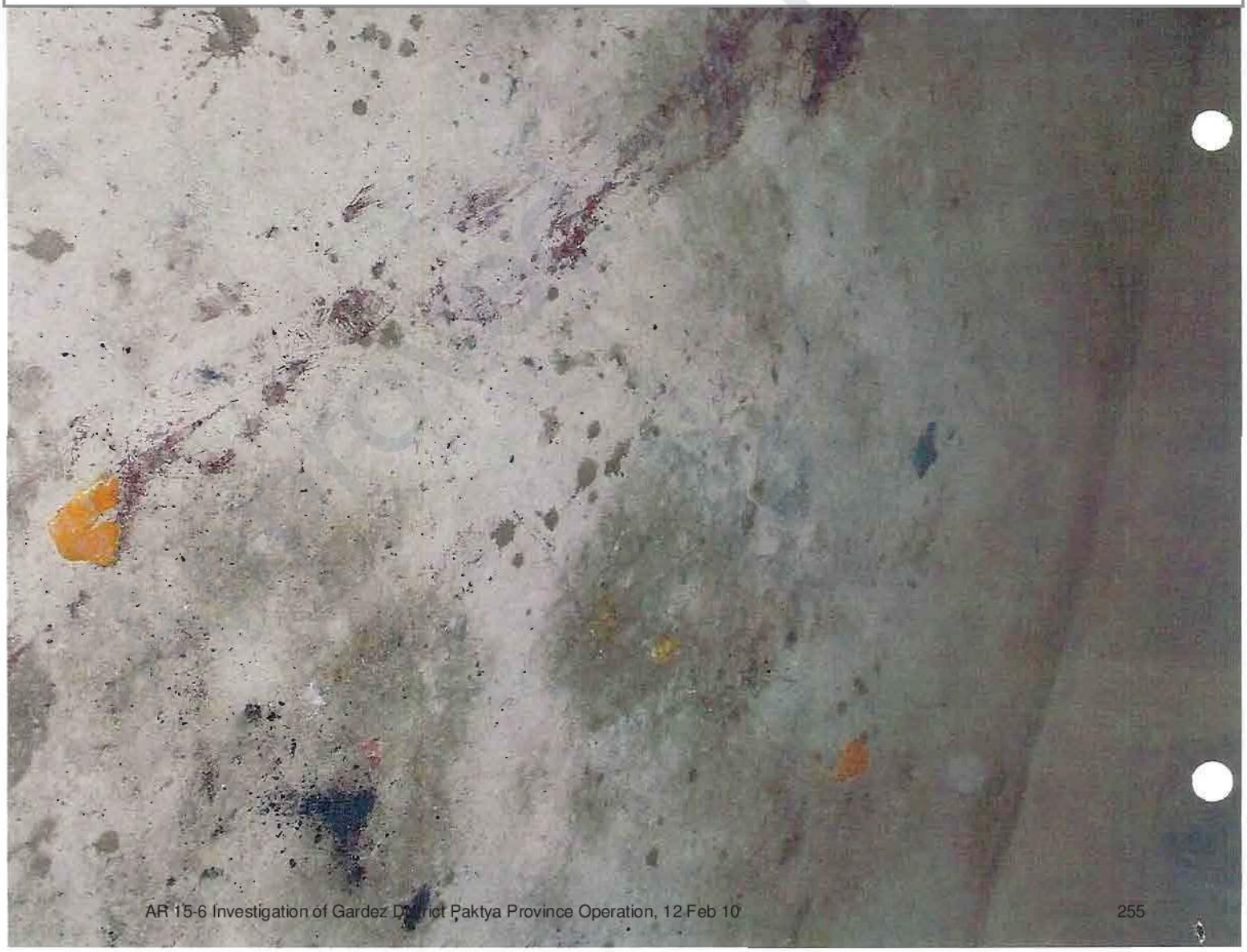

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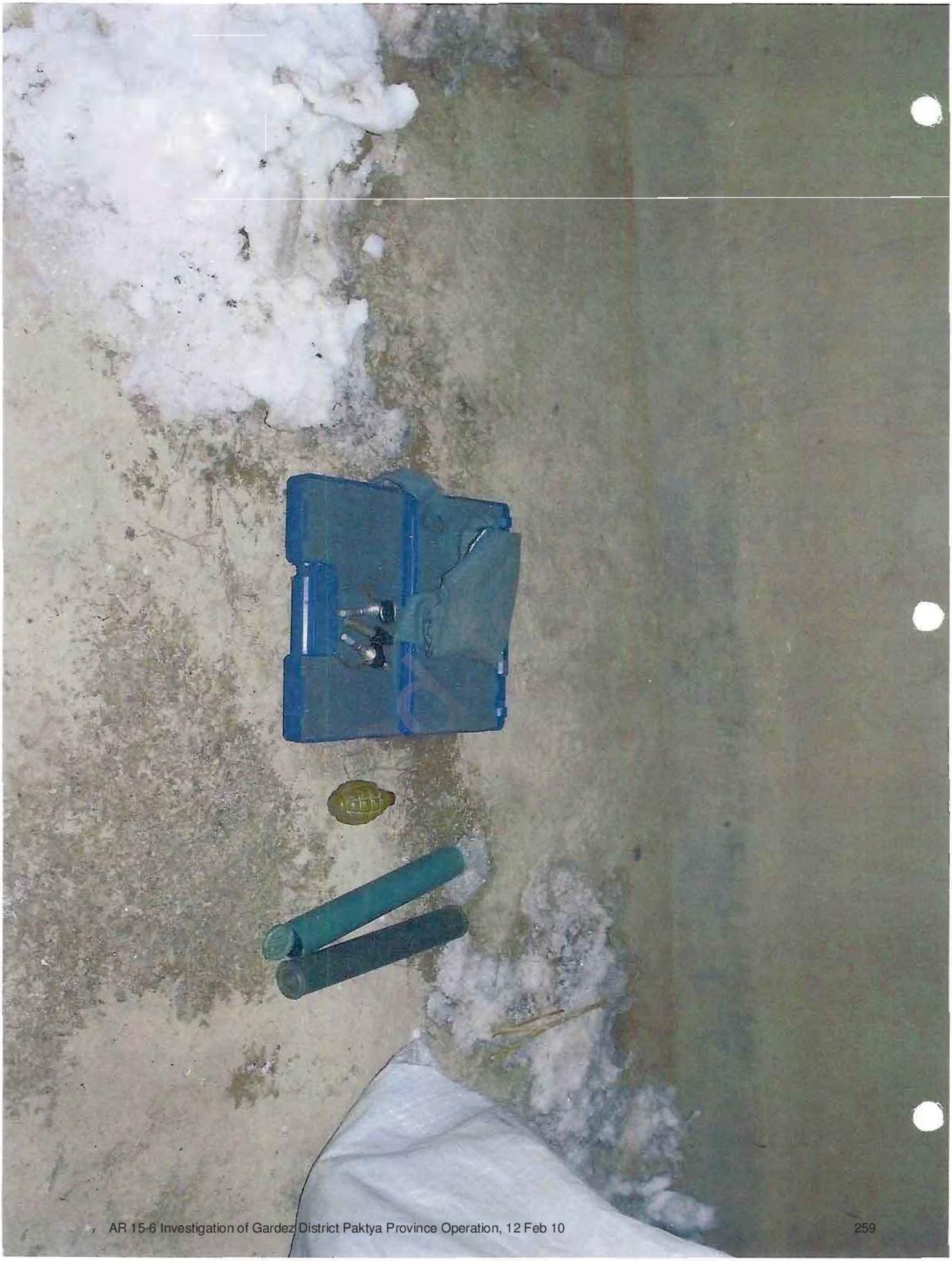

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AR1336 Investigation of Gerald Dupree Pakt
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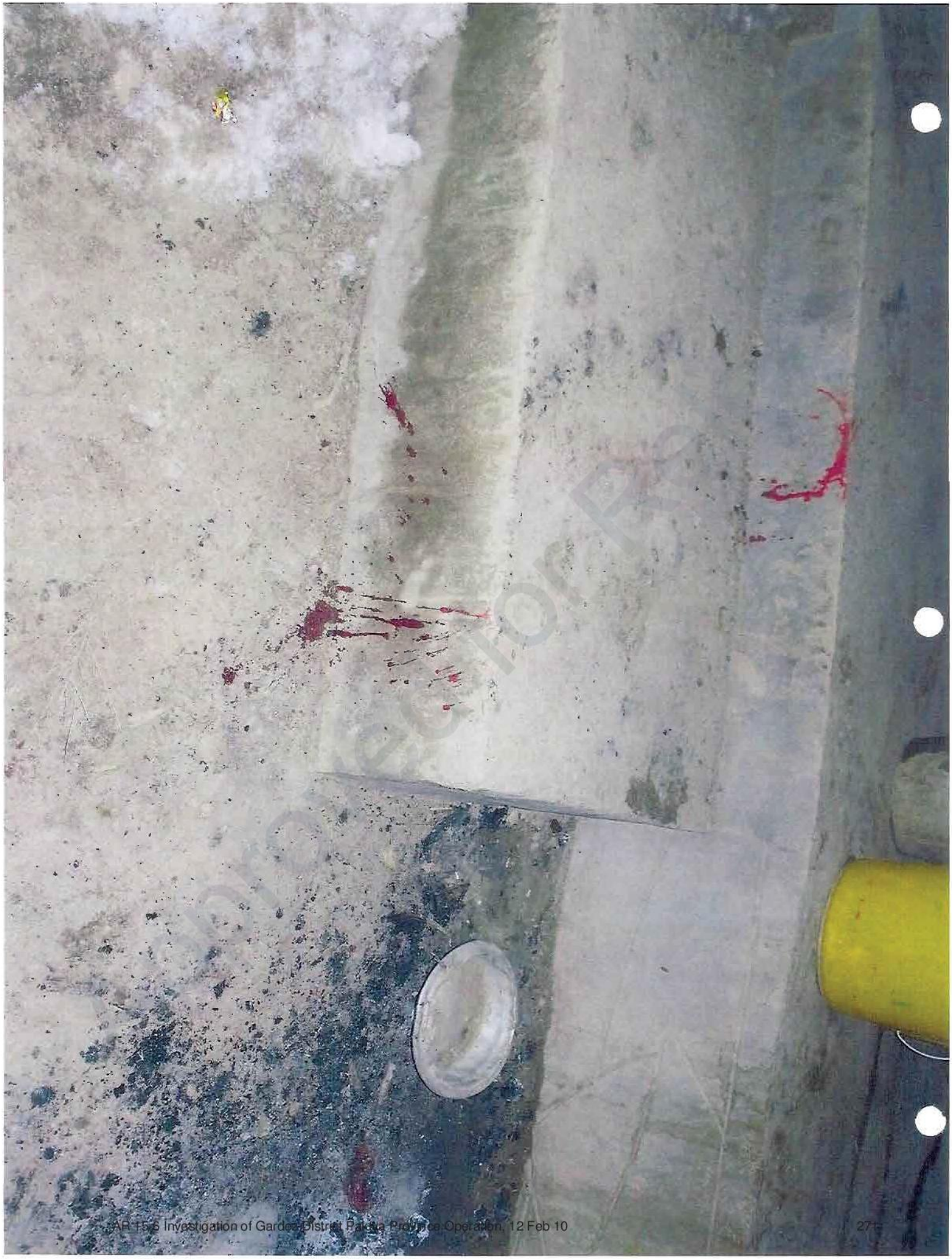

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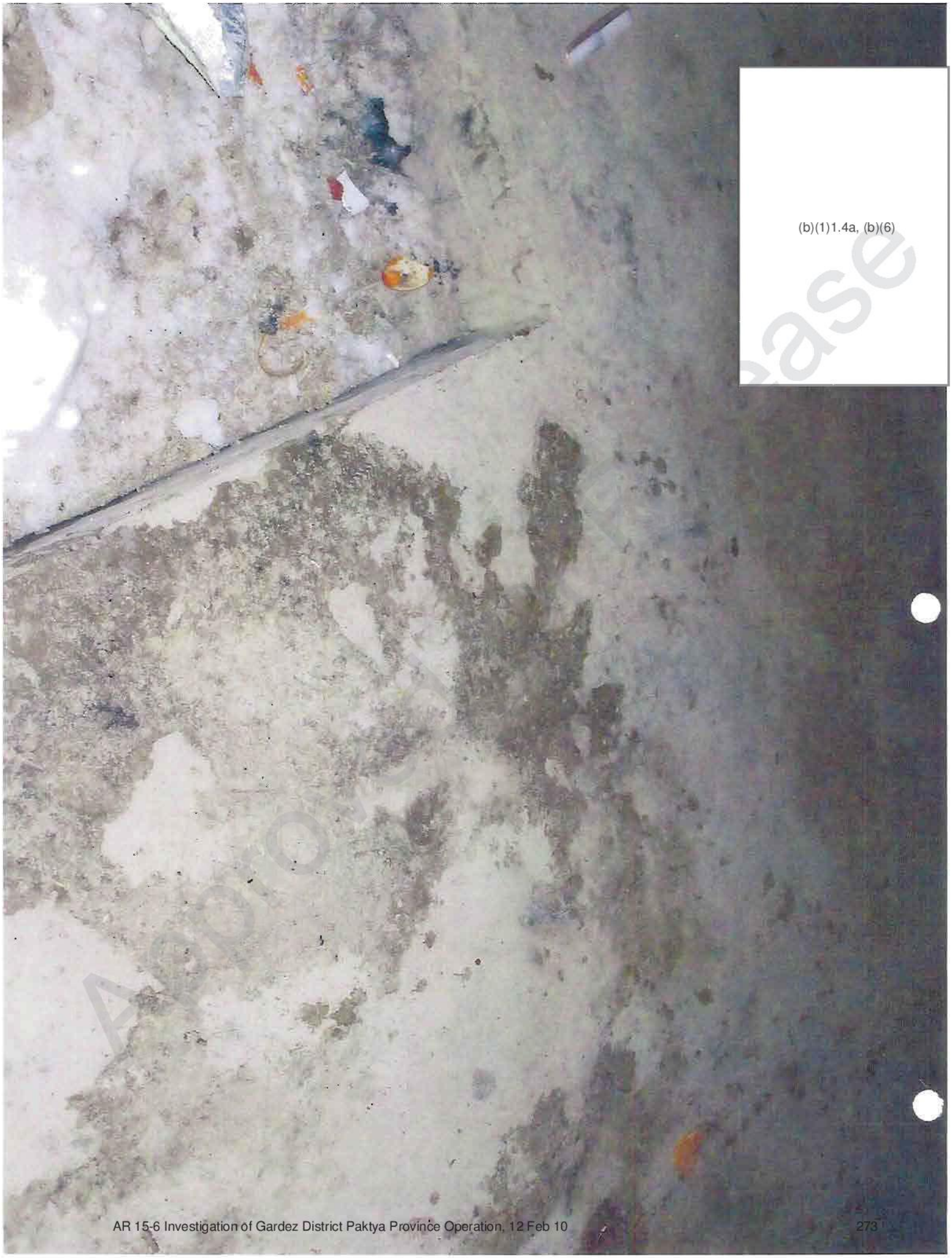

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(b)(1)1.4a, (b)(6)

AR 15-6 Investigation of Gardez District Paktya Province Operation, 12 Feb 10

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Release

(b)(6)

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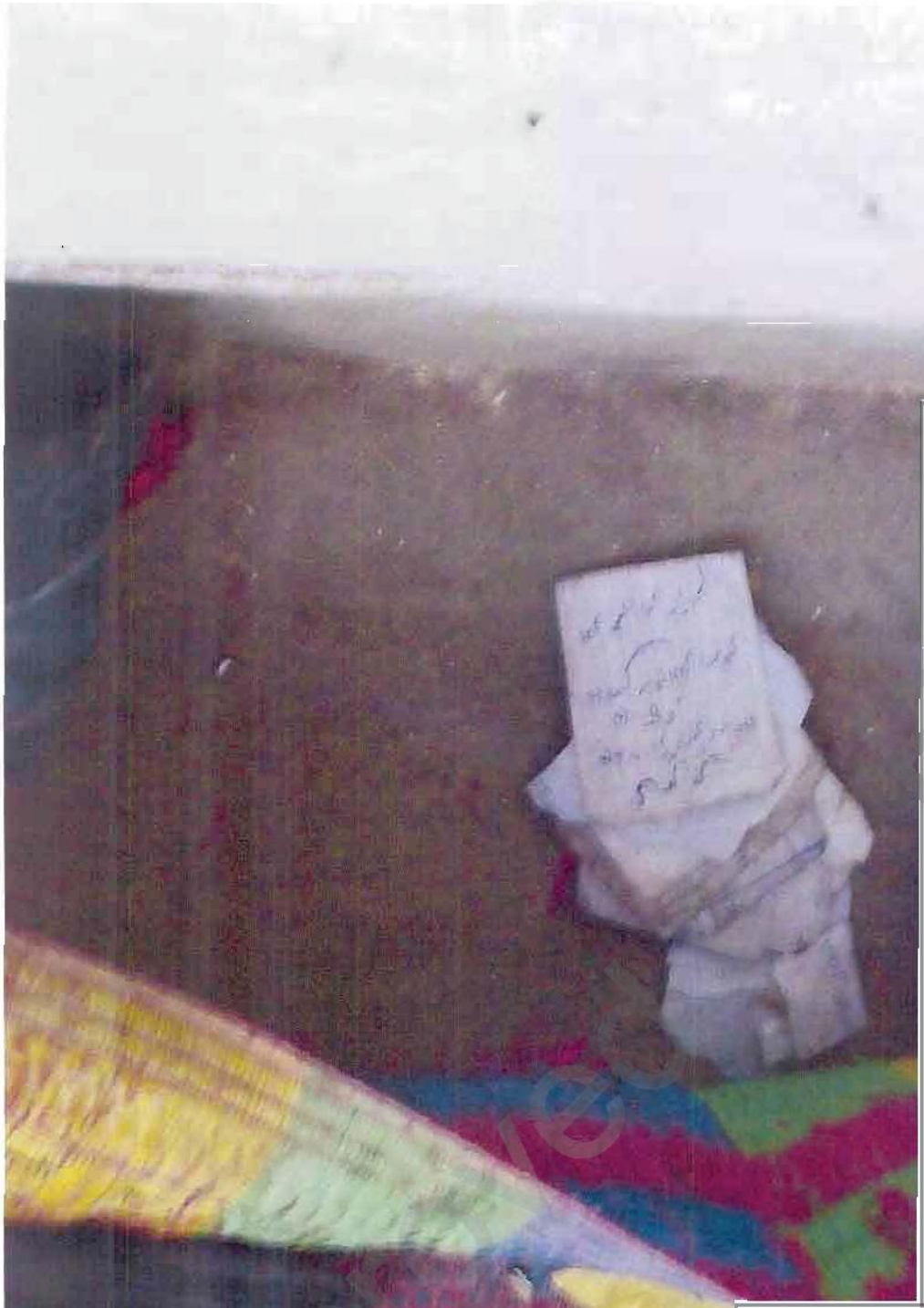

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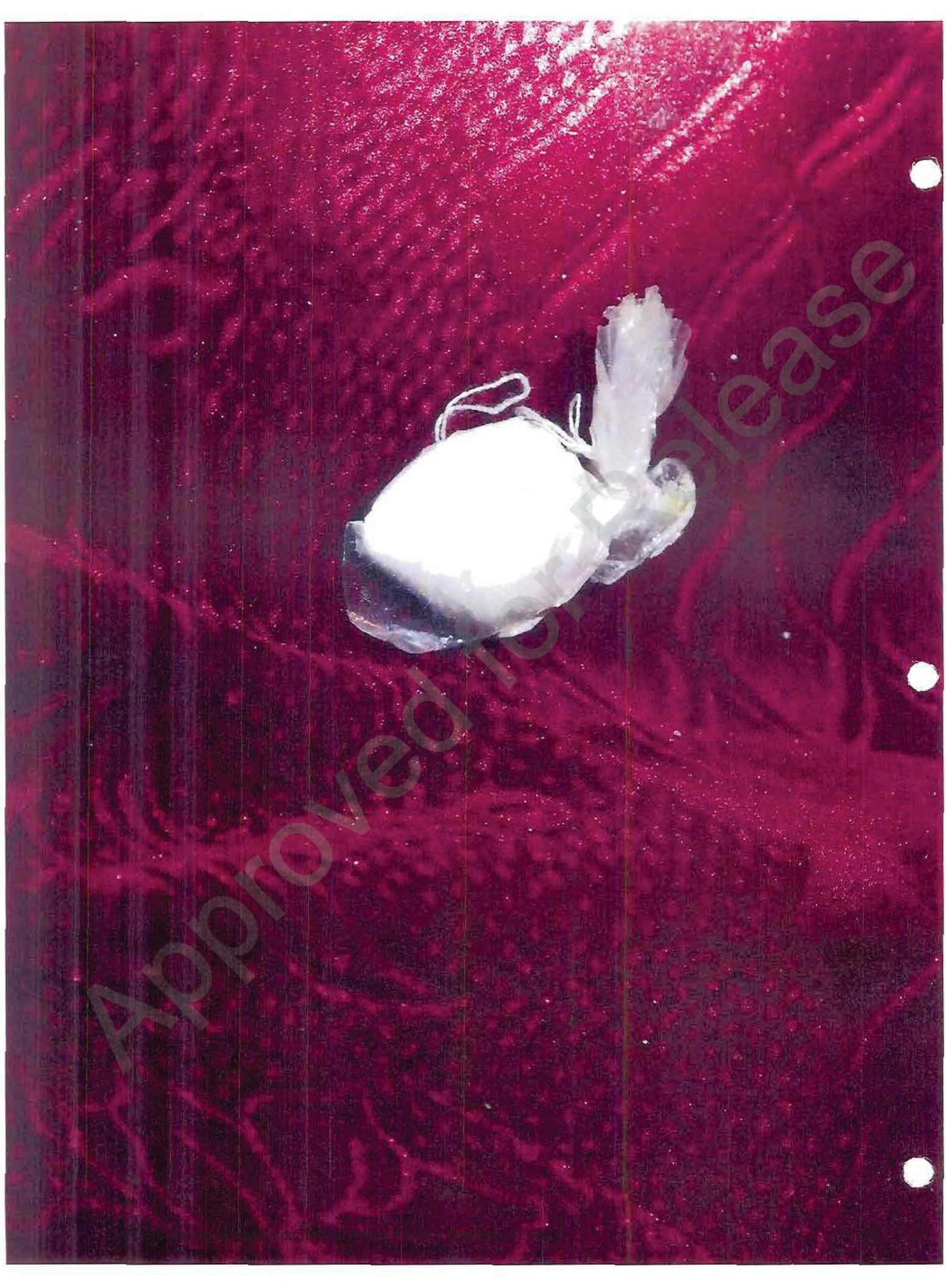

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(b)(1)1.4a, (b)(6)

(b)(1)1.4a, (b)(6)

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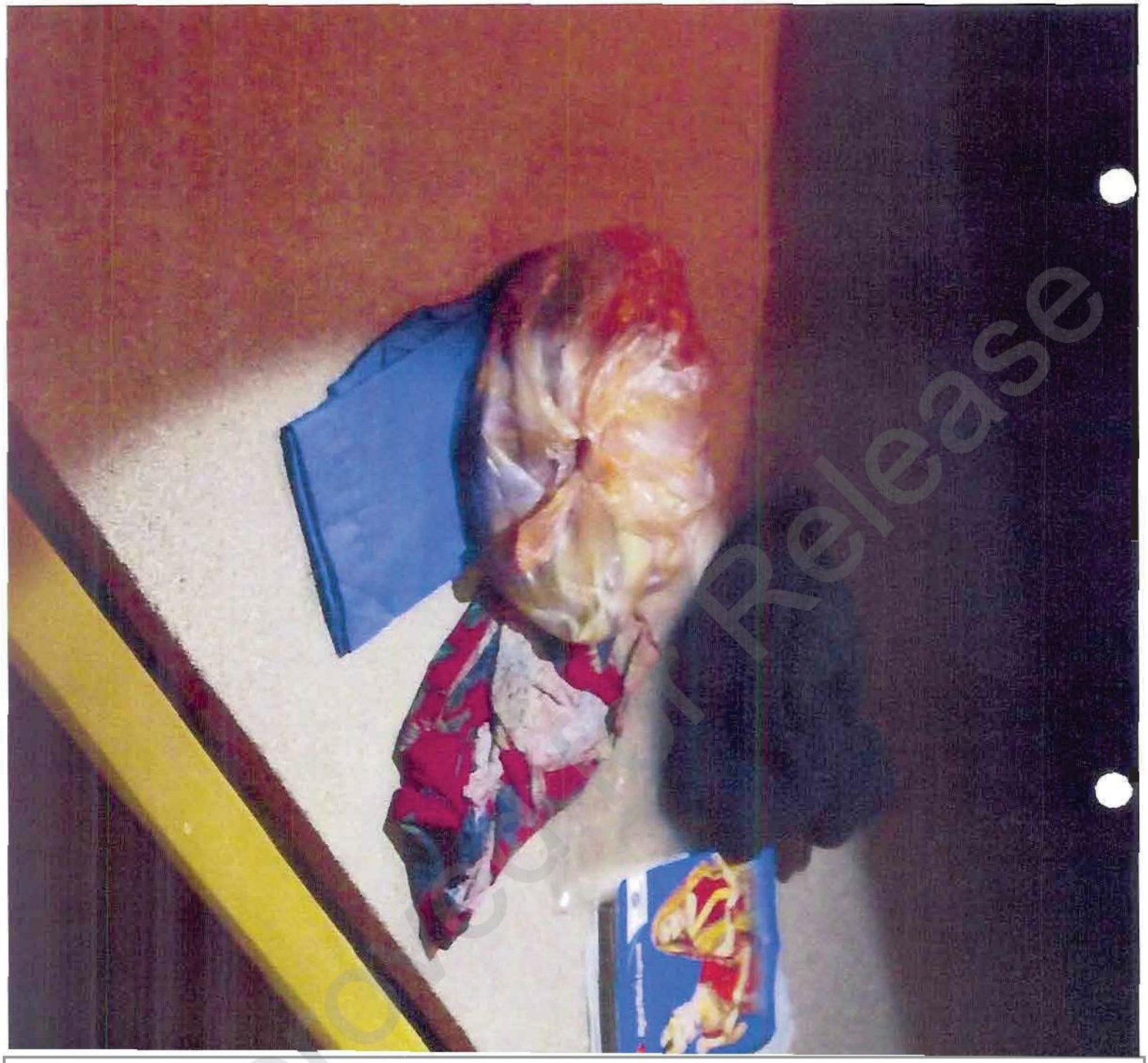

(b)(1)1.4a, (b)(6)

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Paktya Province Operation, 12 Feb 10

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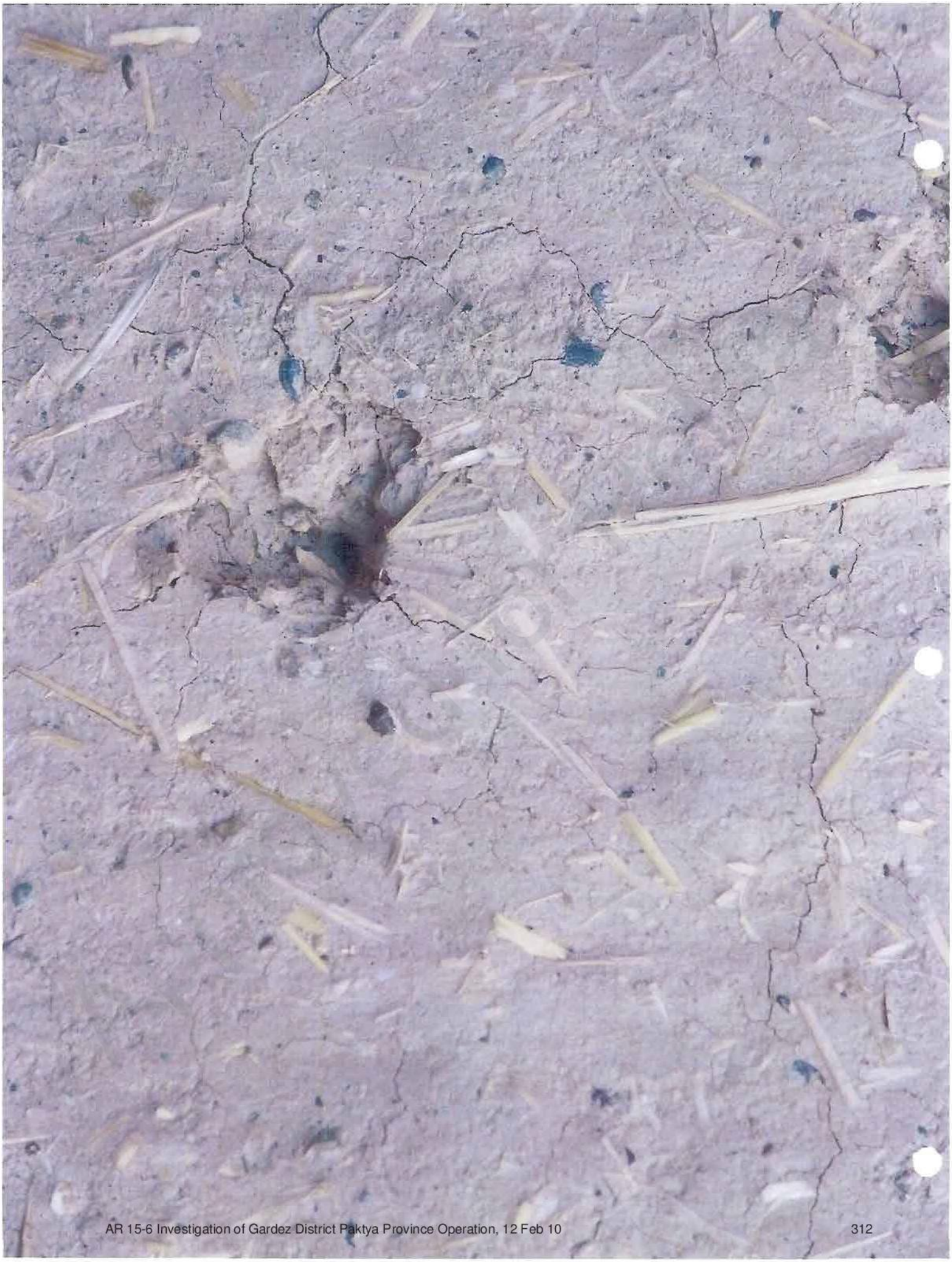

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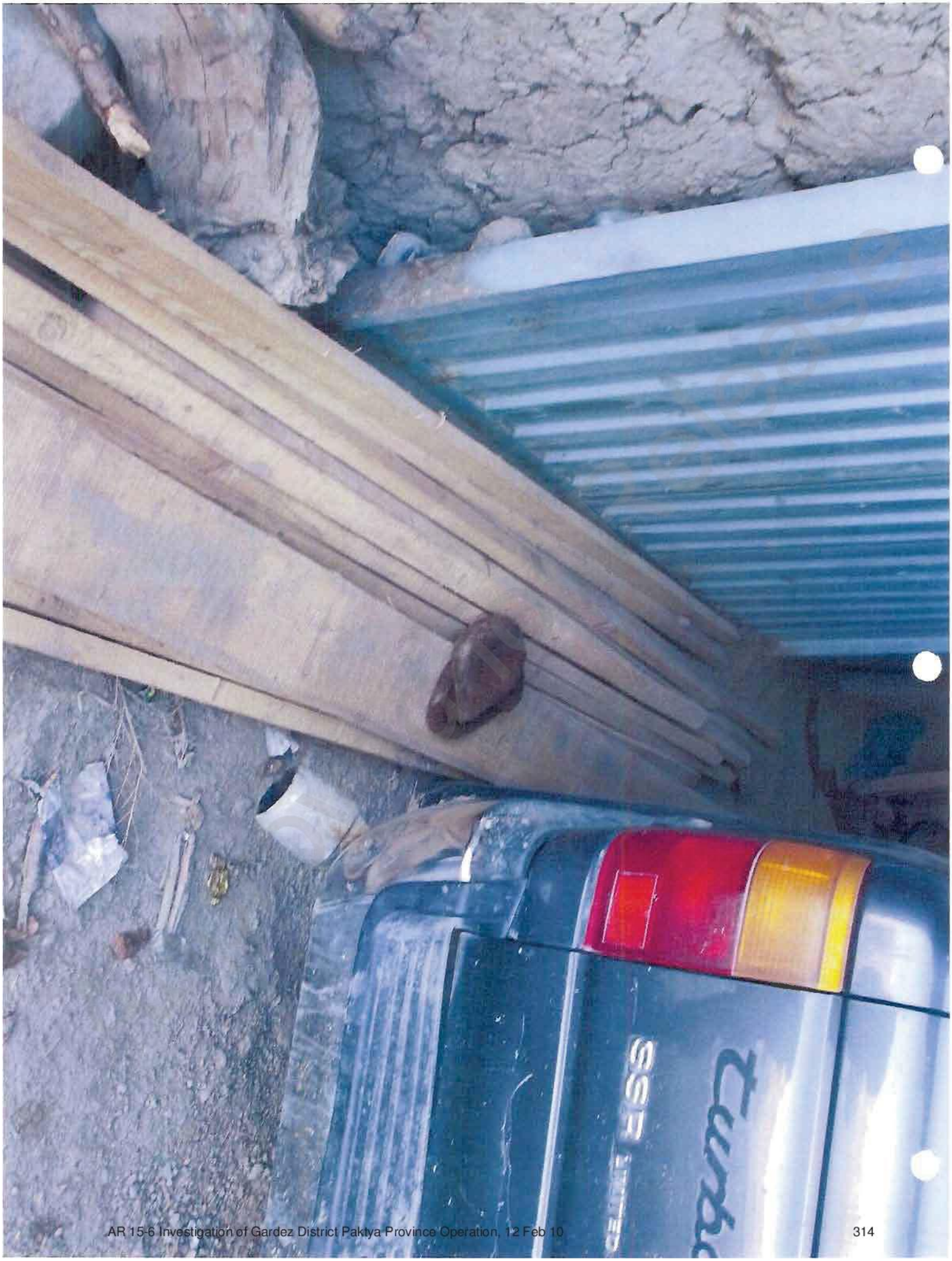

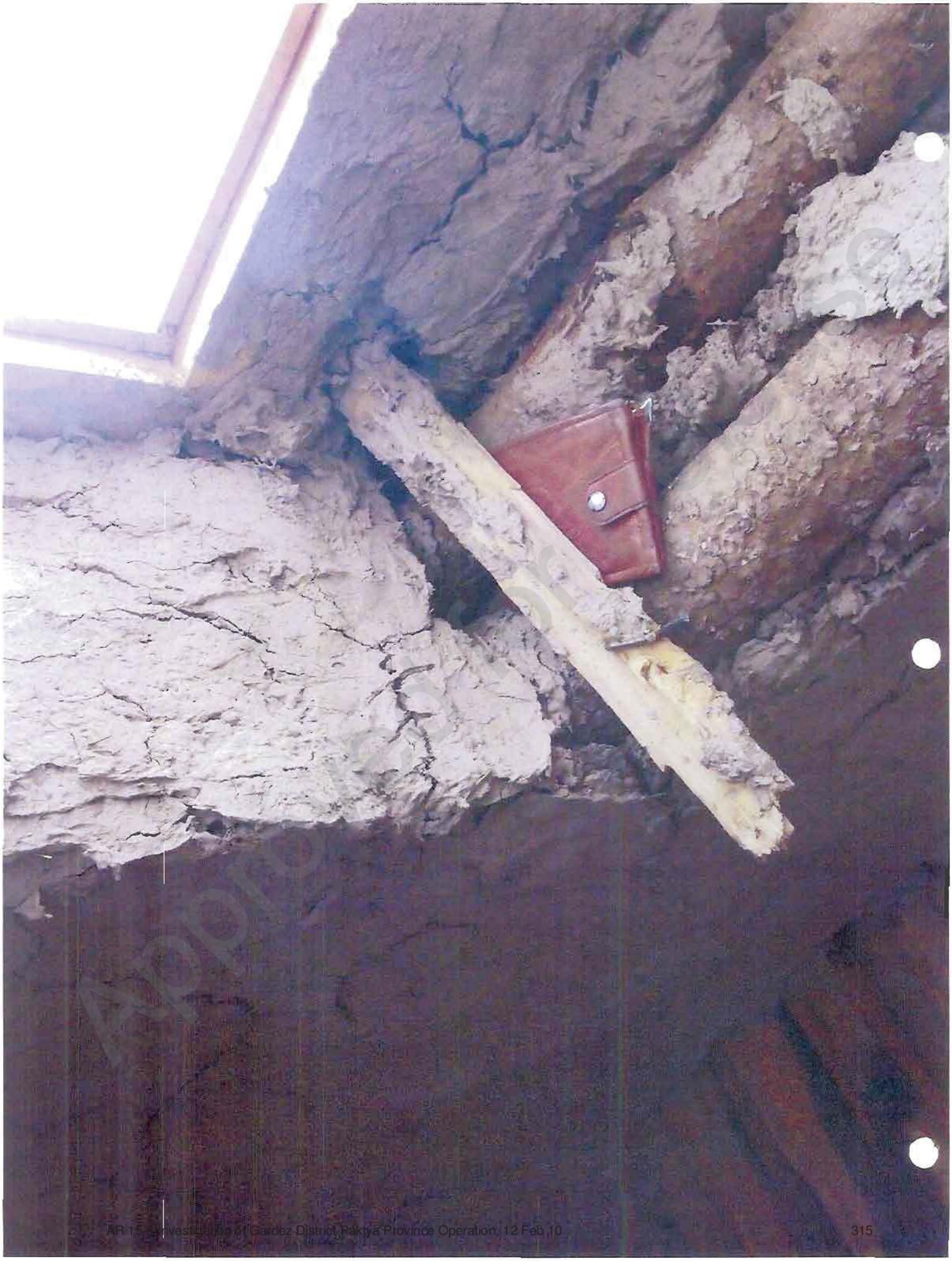

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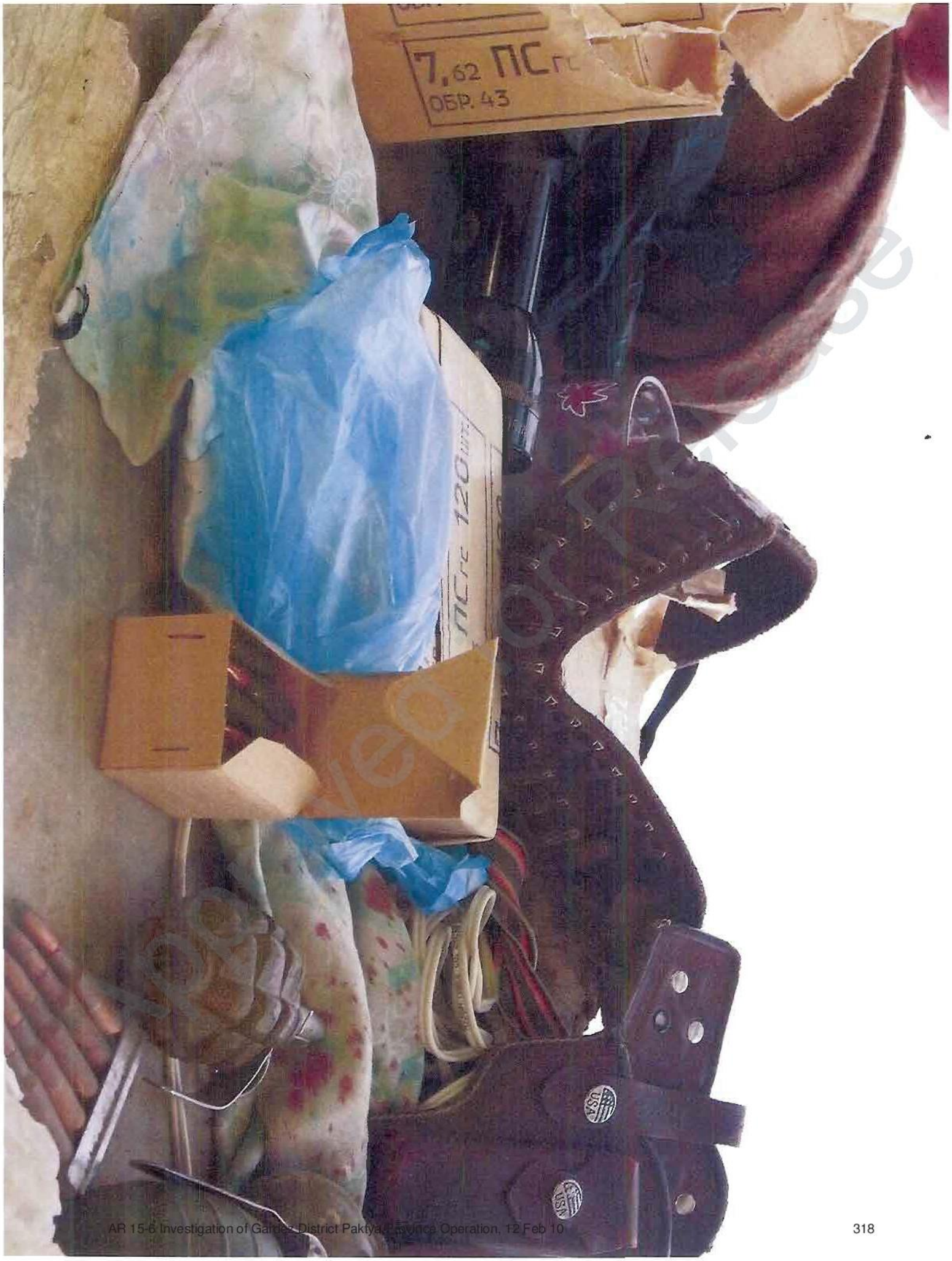
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R 156 Investigation Jaji Ordez District Paktya Province Operation, 12 Feb 10

AR [illegible] District Paktya Province Operation, 12 Feb 10

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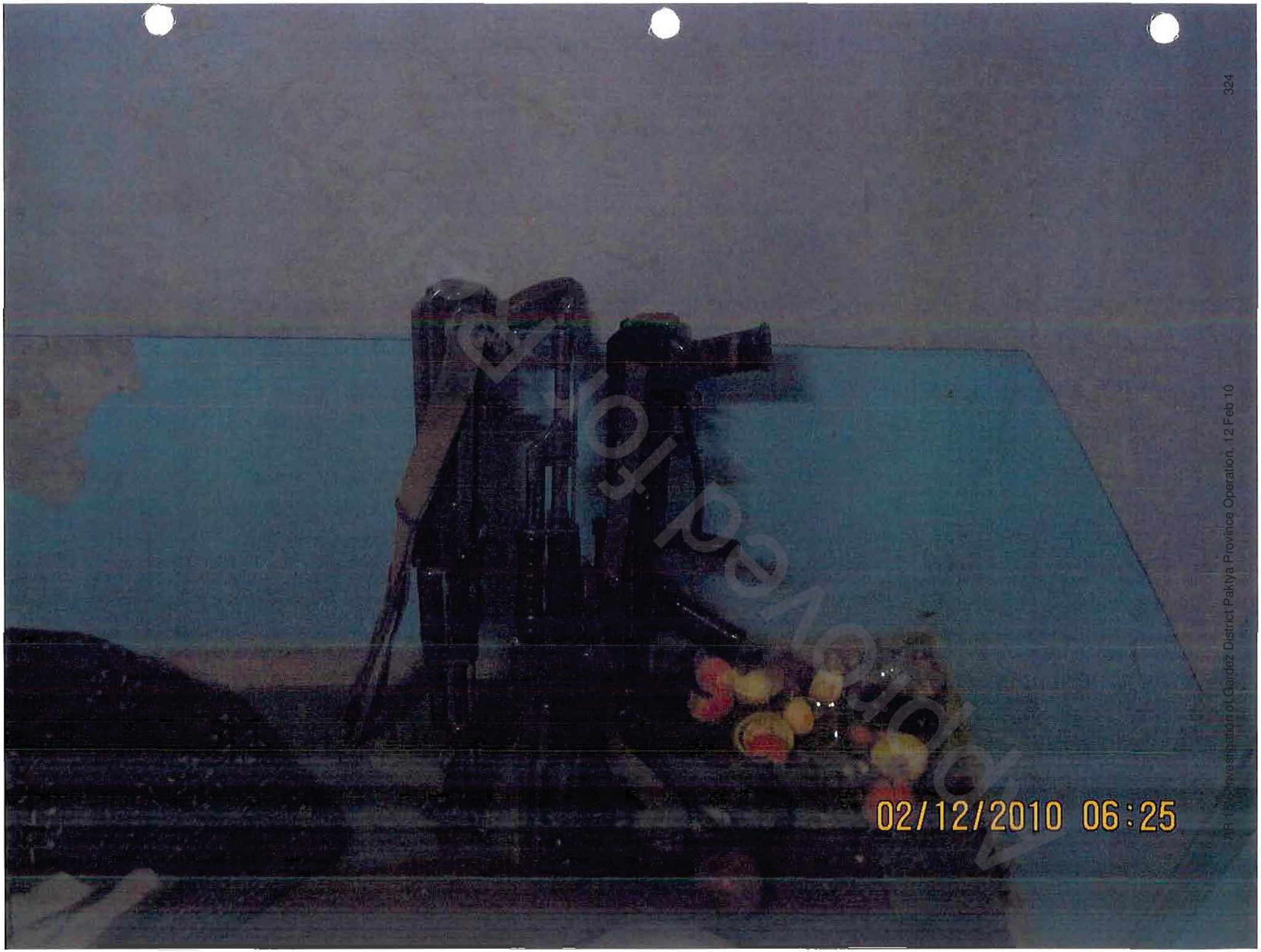

AR 15-6 Investigation of Gardez District Paktya Province Operation, 12 Feb 10

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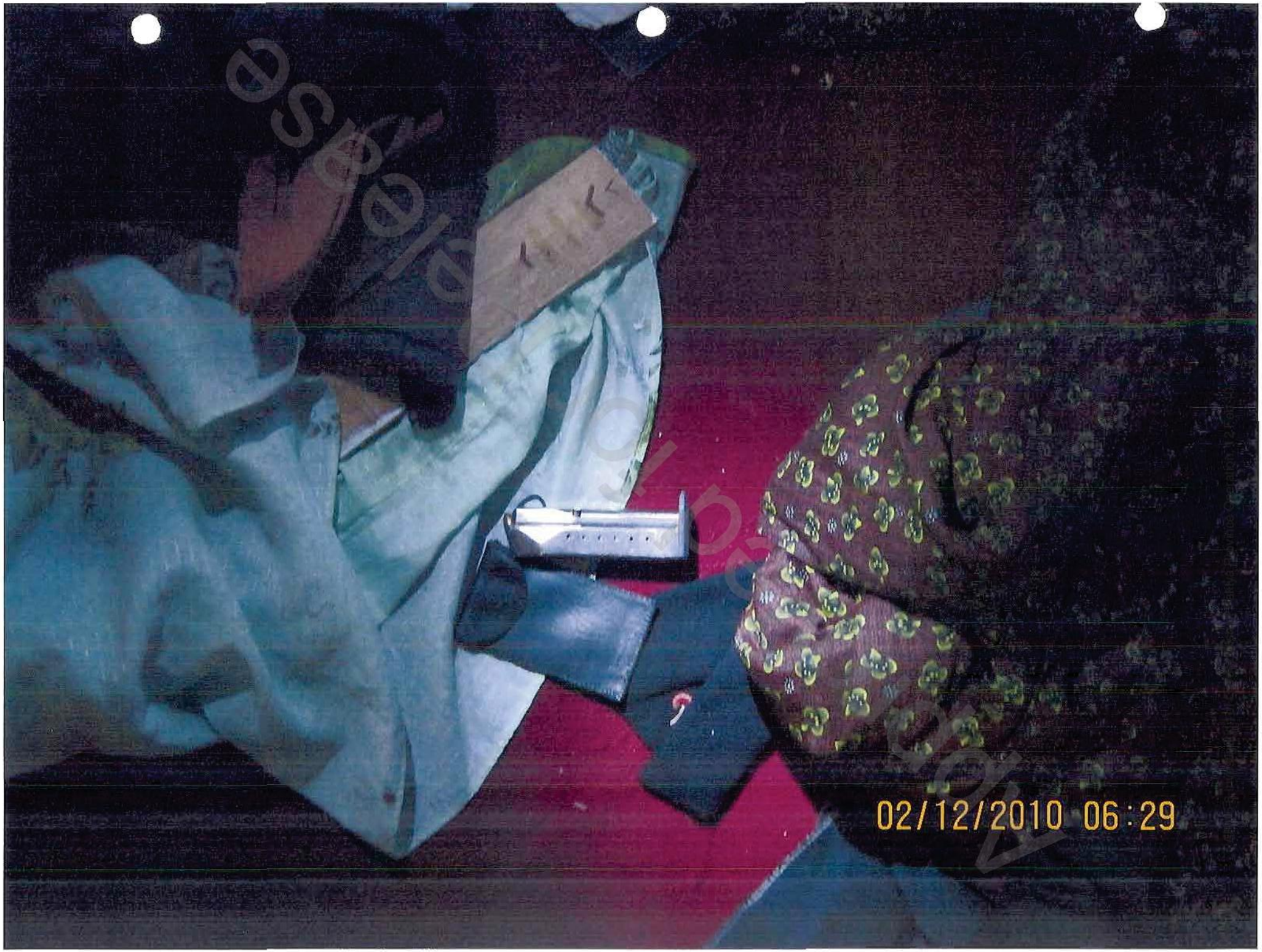
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1-6 Investigation of Gardez District Paktya Province Operation 12 Feb 10

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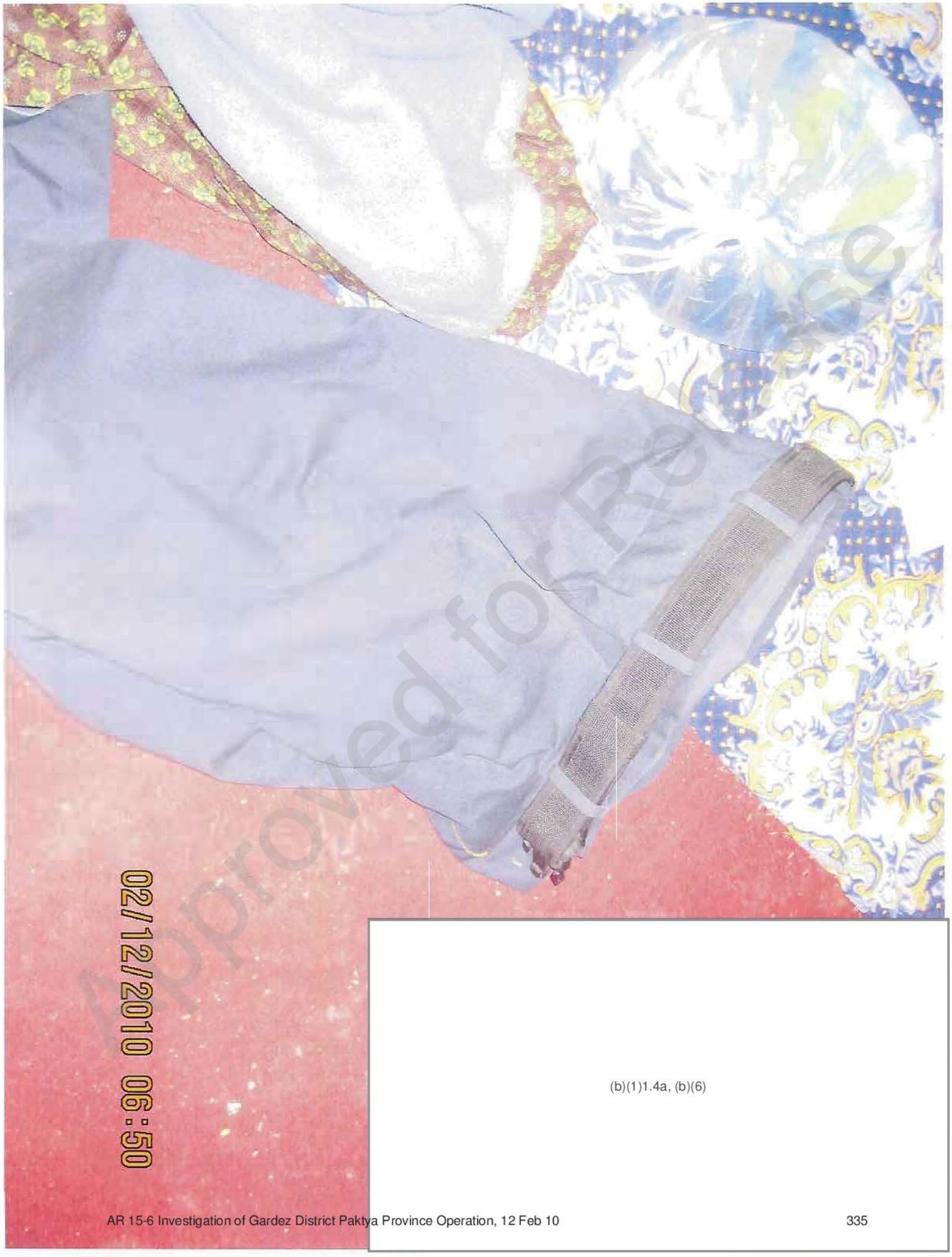

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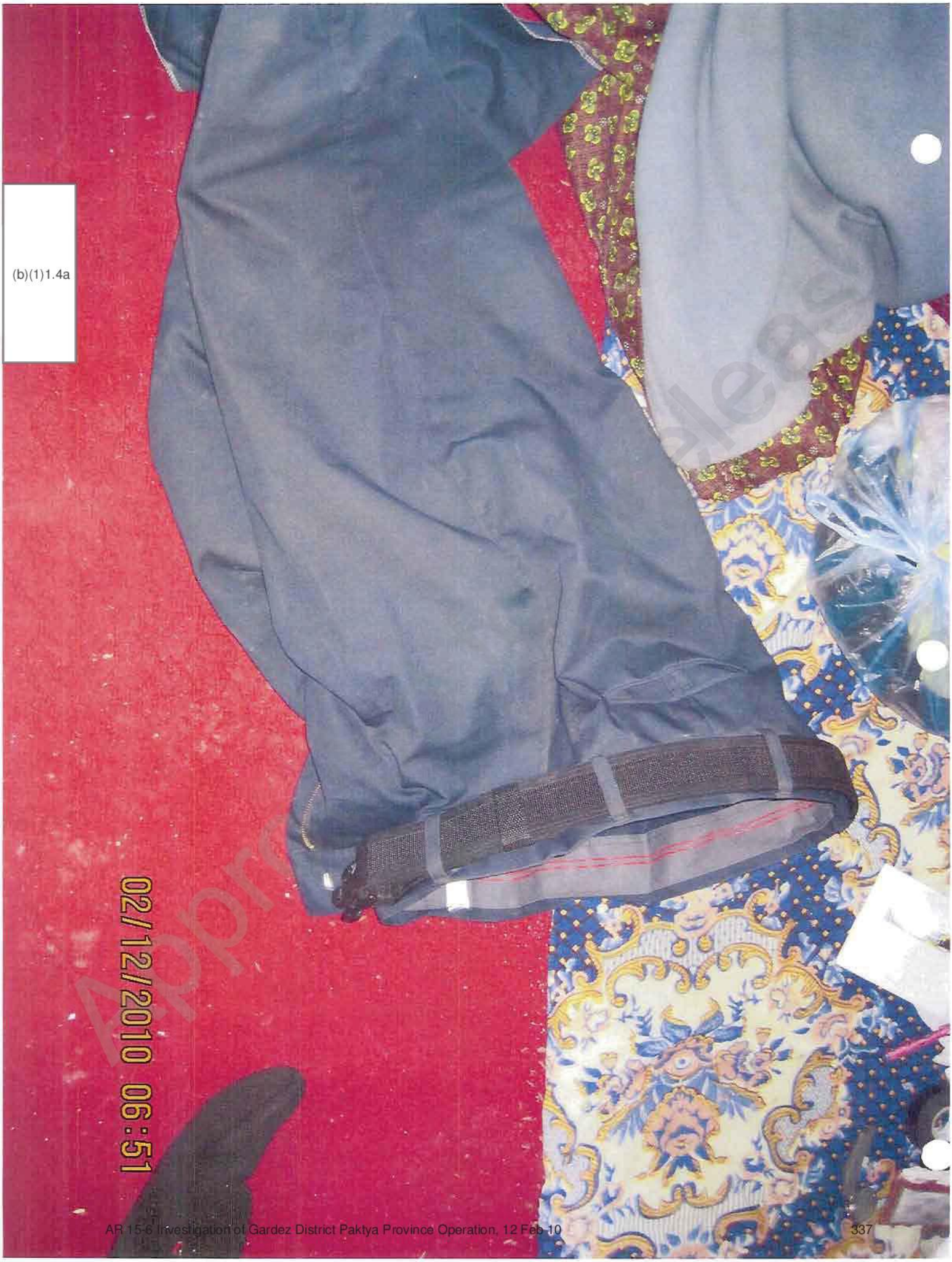

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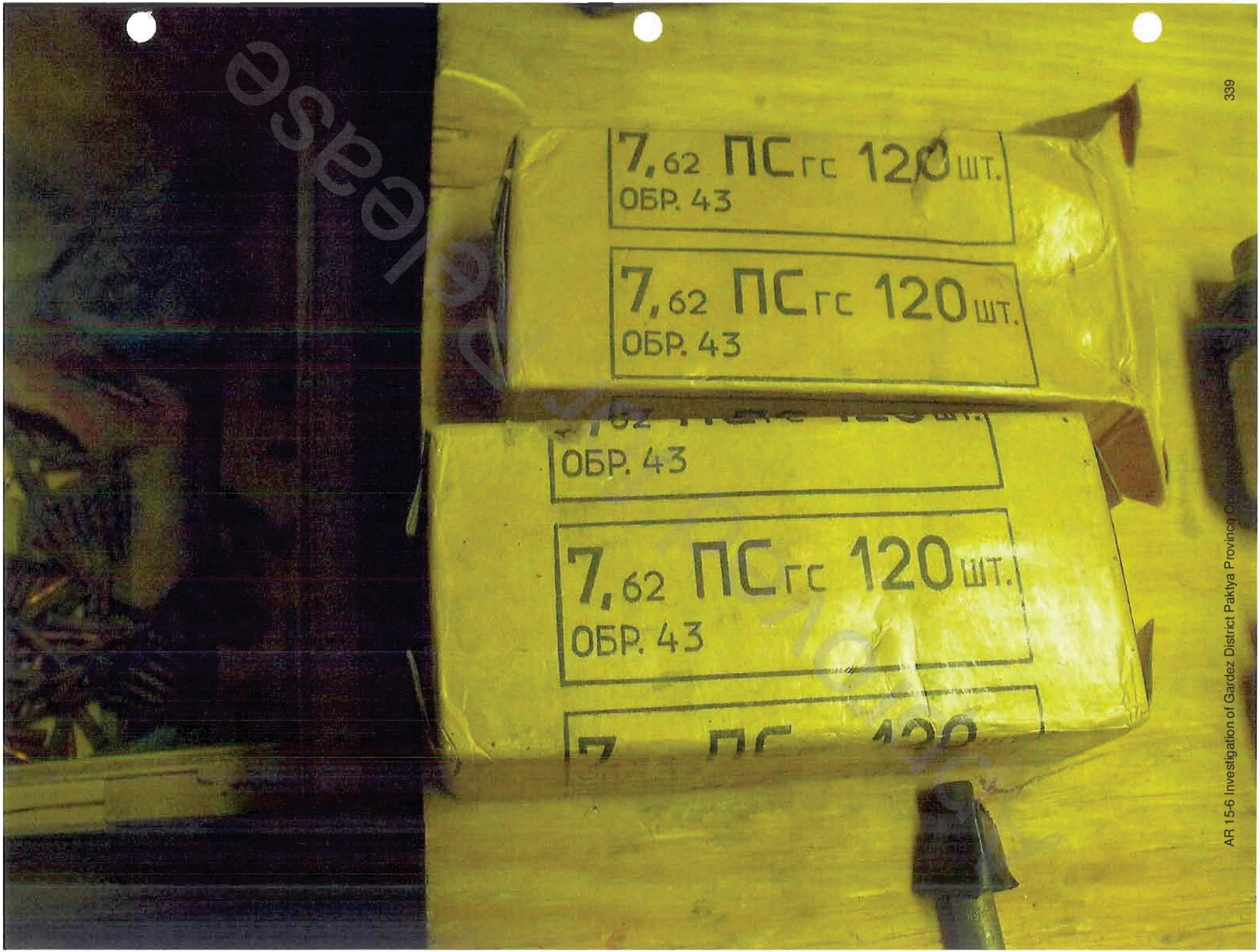
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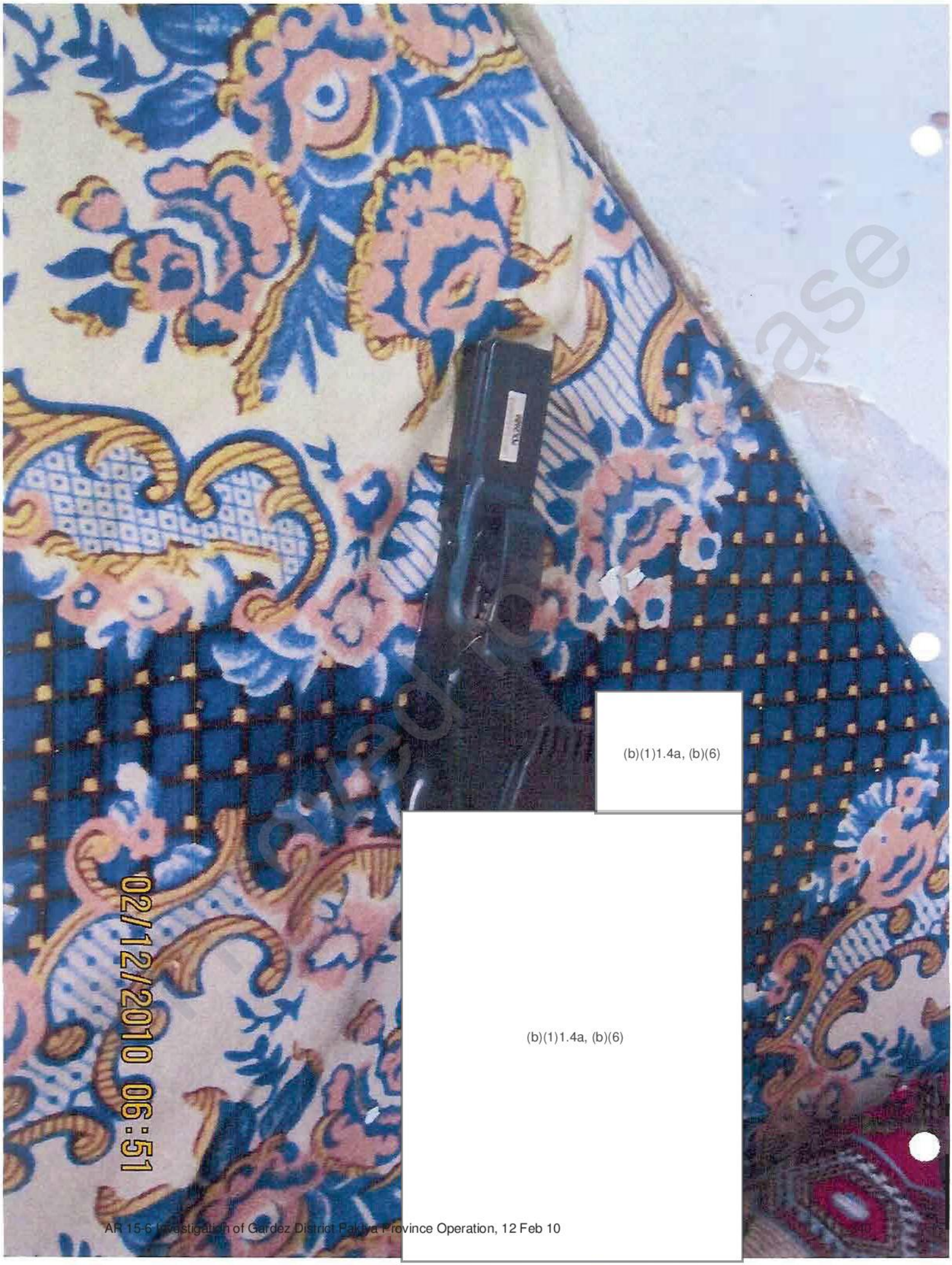

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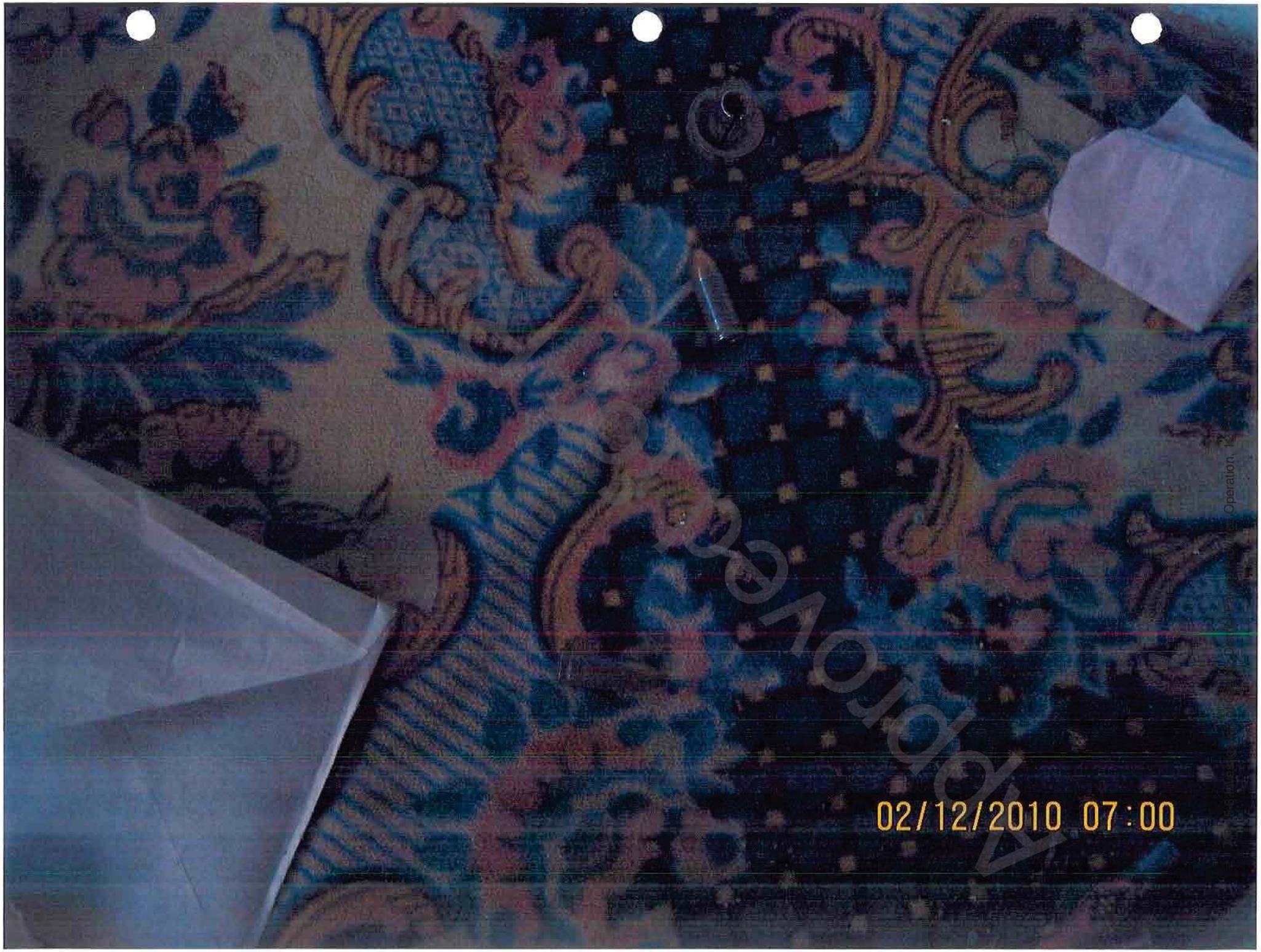
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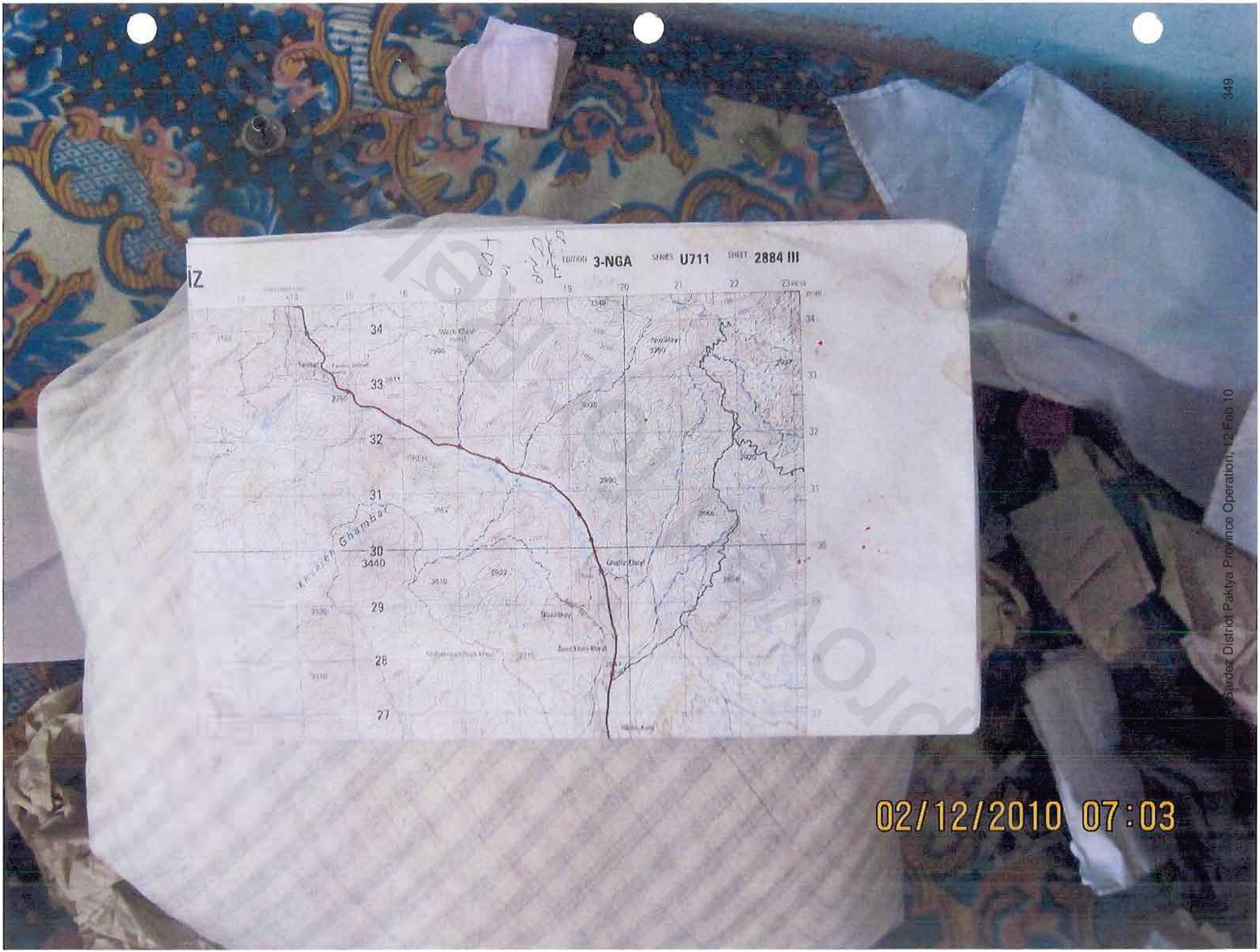

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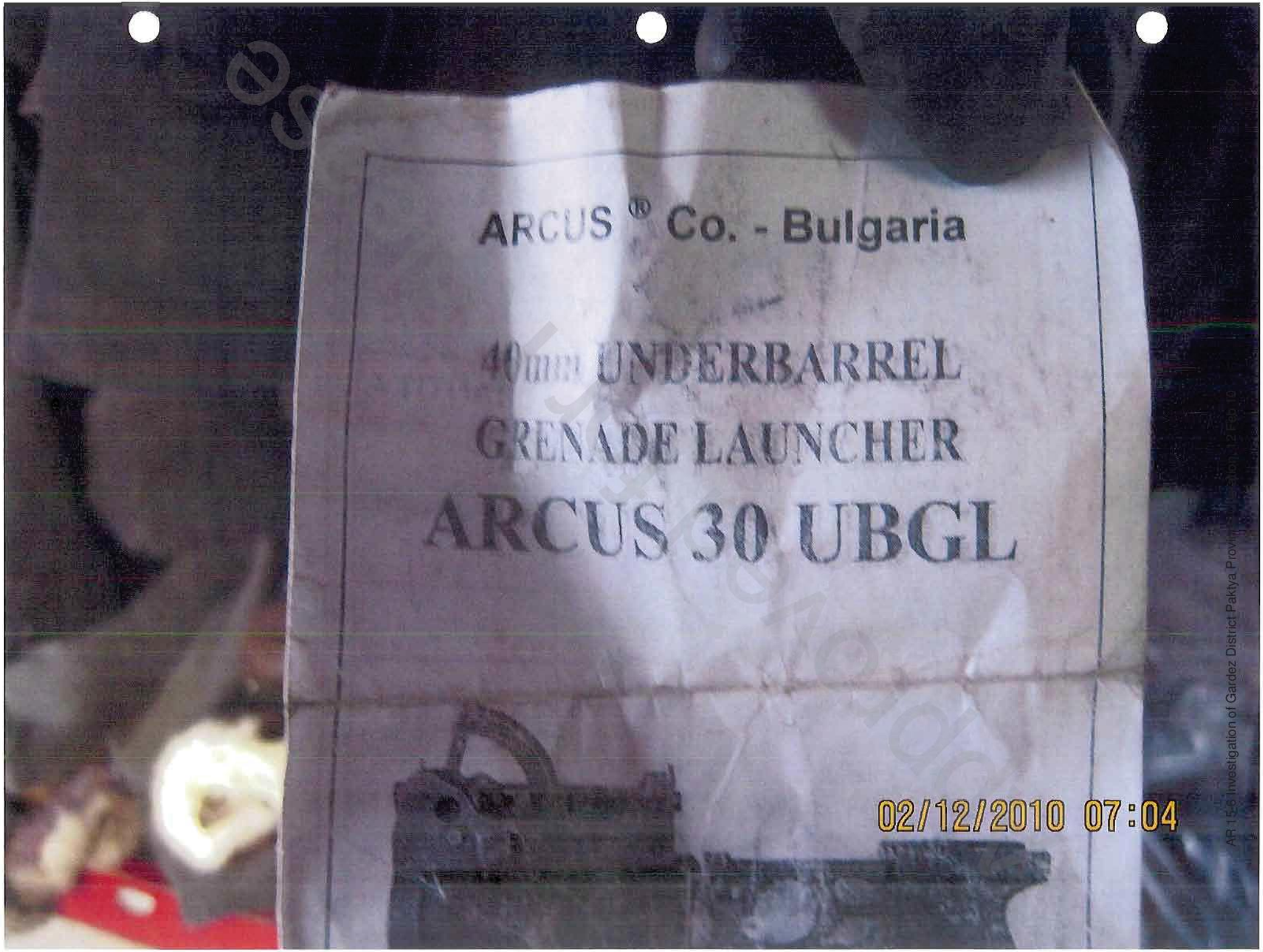
Cardez District Paktya Province Operation, 12 Feb 10



AR 15-6 Investigation of Gardez District Paktya Provi

Debit Cash Voucher

- GARDEZ

Trn No : 104501874

Date : 15/09/2009

Debit Voucher - CASH

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GRENADE LAUNCHER
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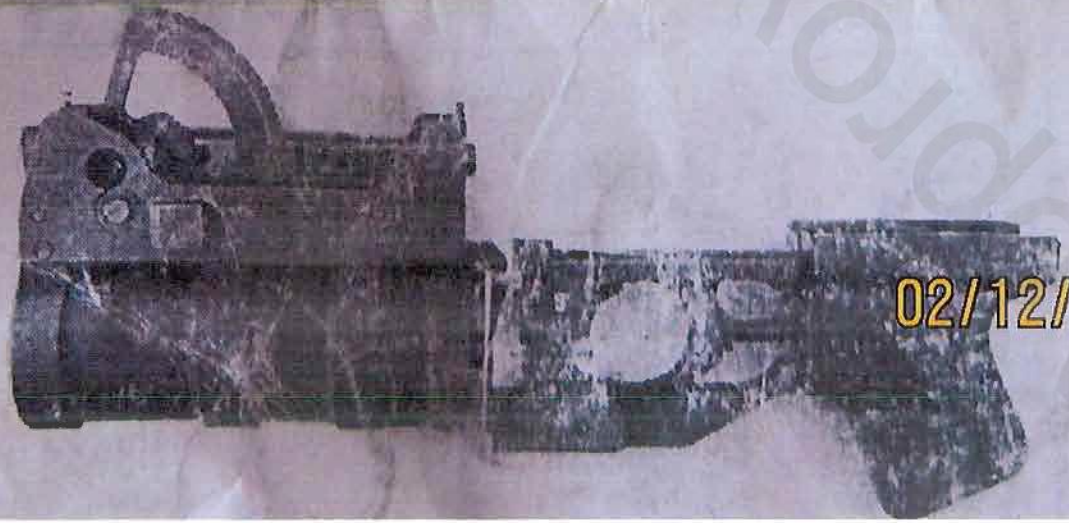

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AR 15-6 Investigation of Gardez District Paktya Province Operational

Debit Cash Voucher

- GARDEZ

Trn No : 104501874

Date : 15/09/2009

Debit Voucher - CASH

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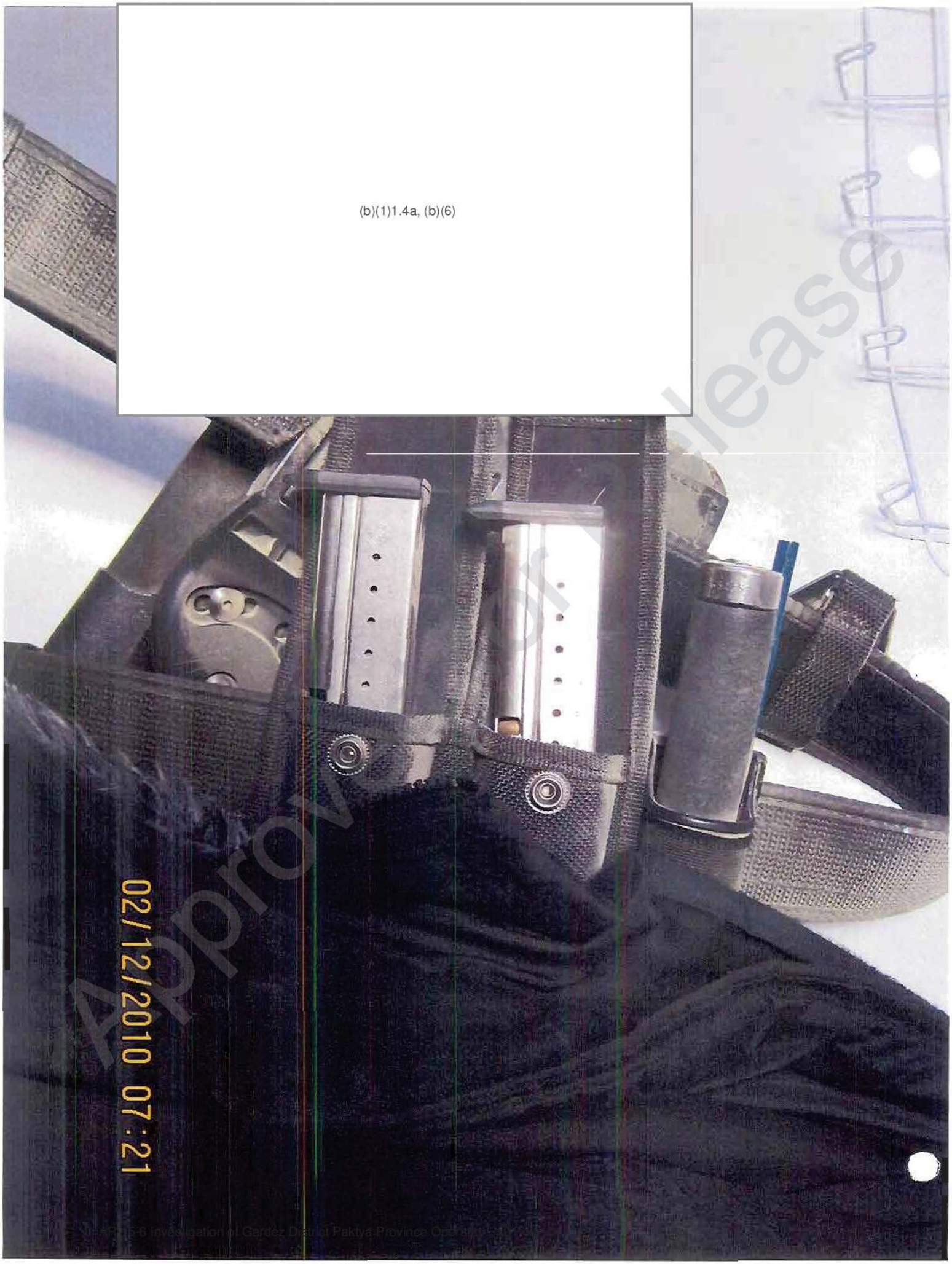

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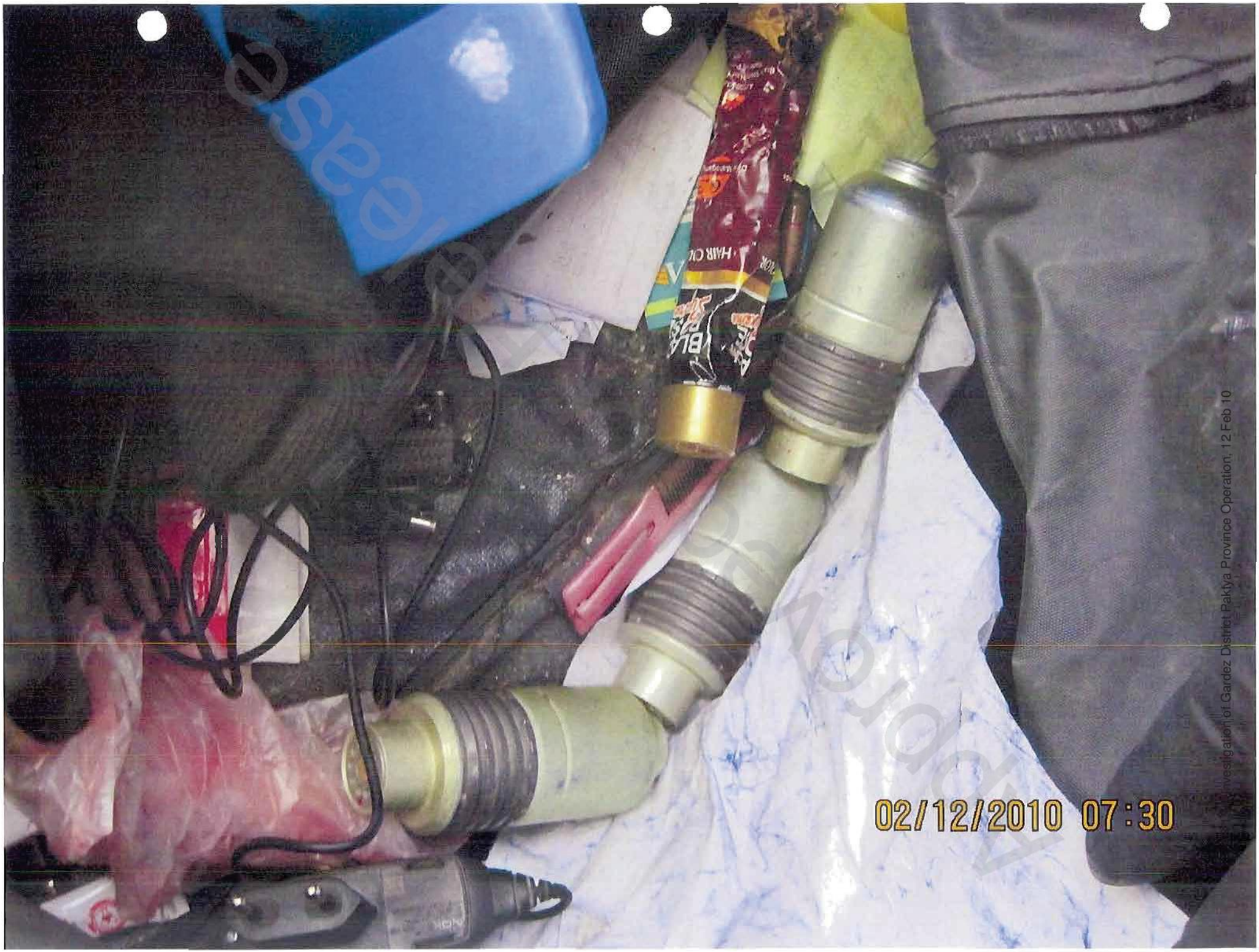

Investigation of Gardez District Paktya Province Operation, 12 Feb 10

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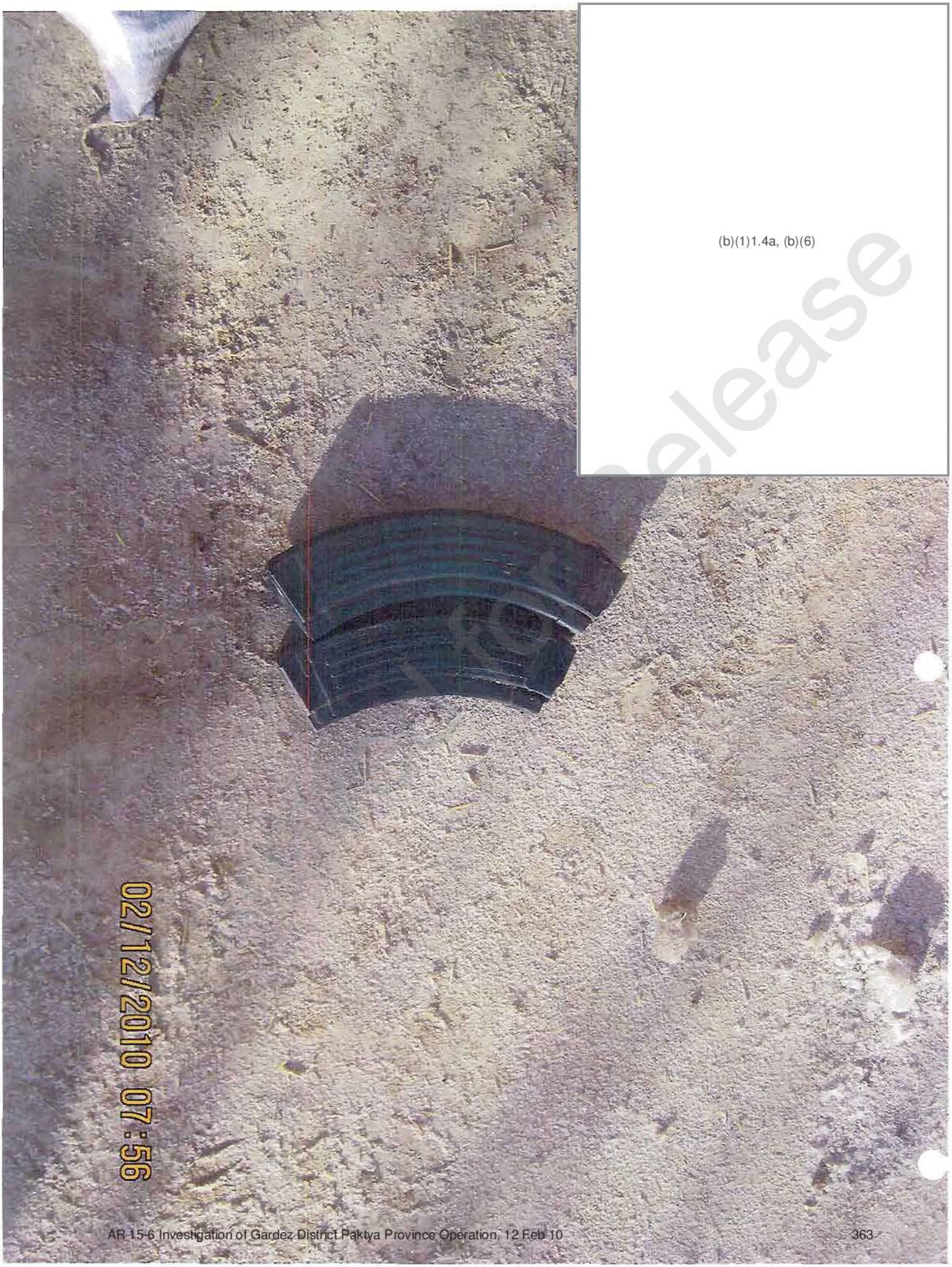

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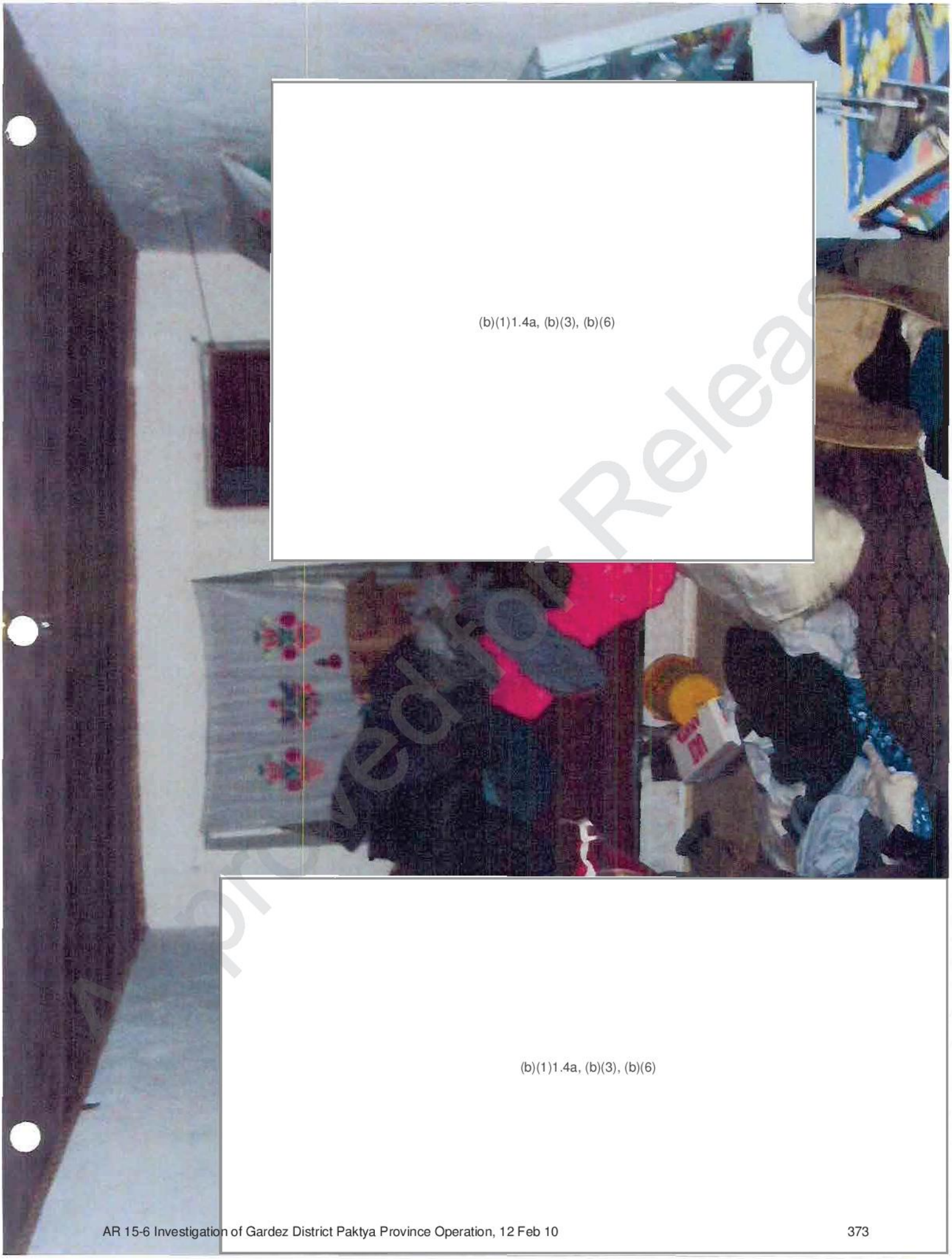

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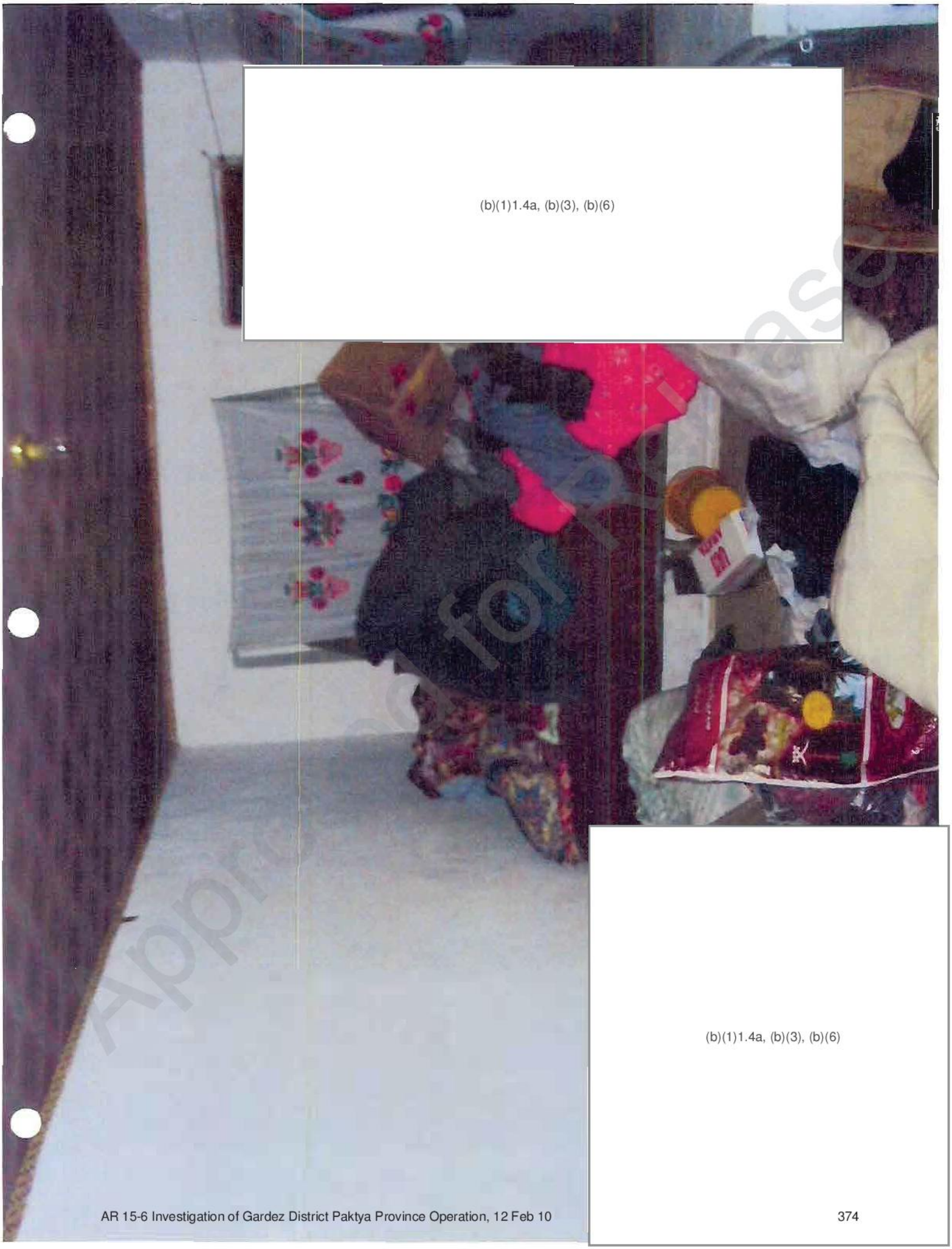

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District Paktya Province Operation, 12 Feb 10

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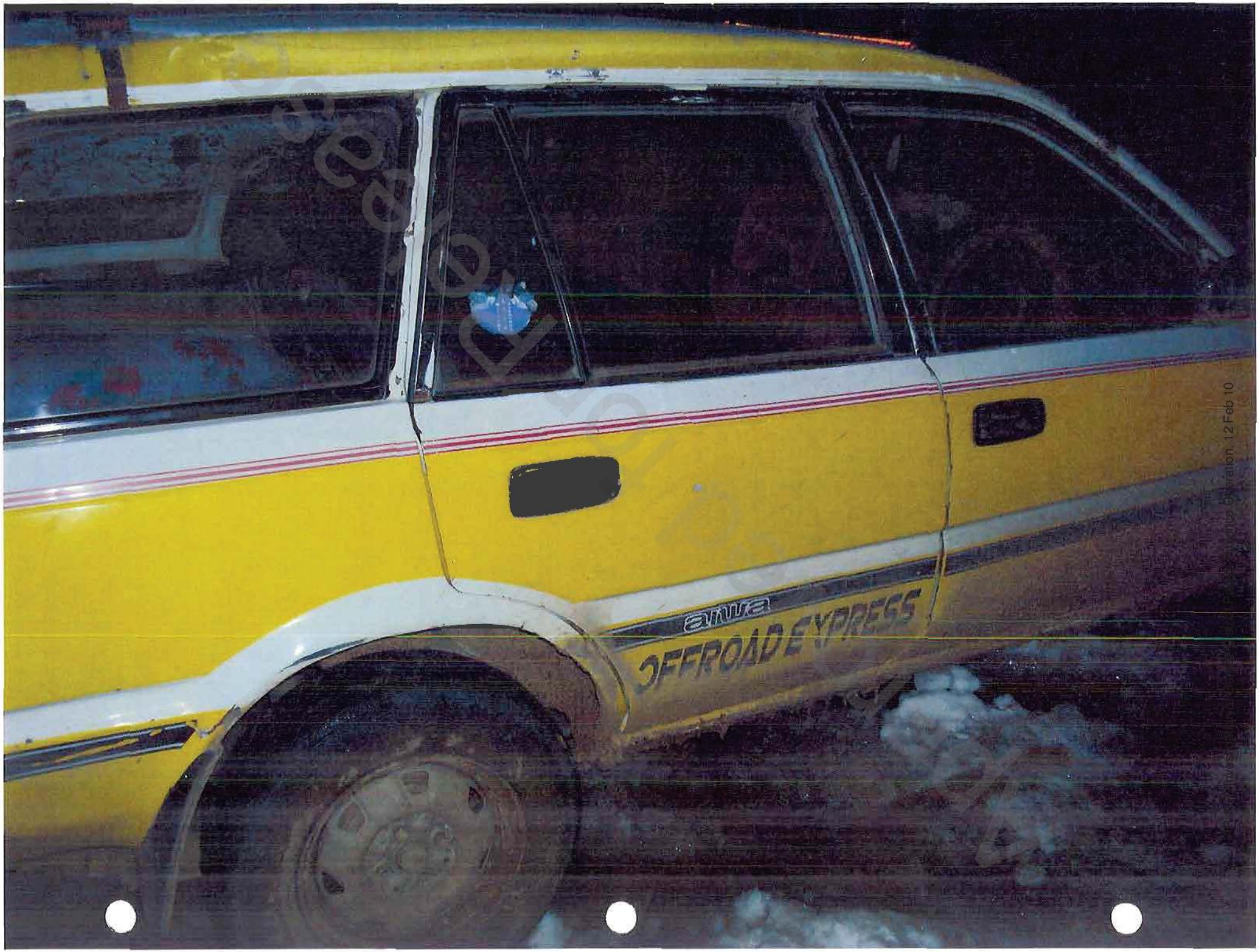

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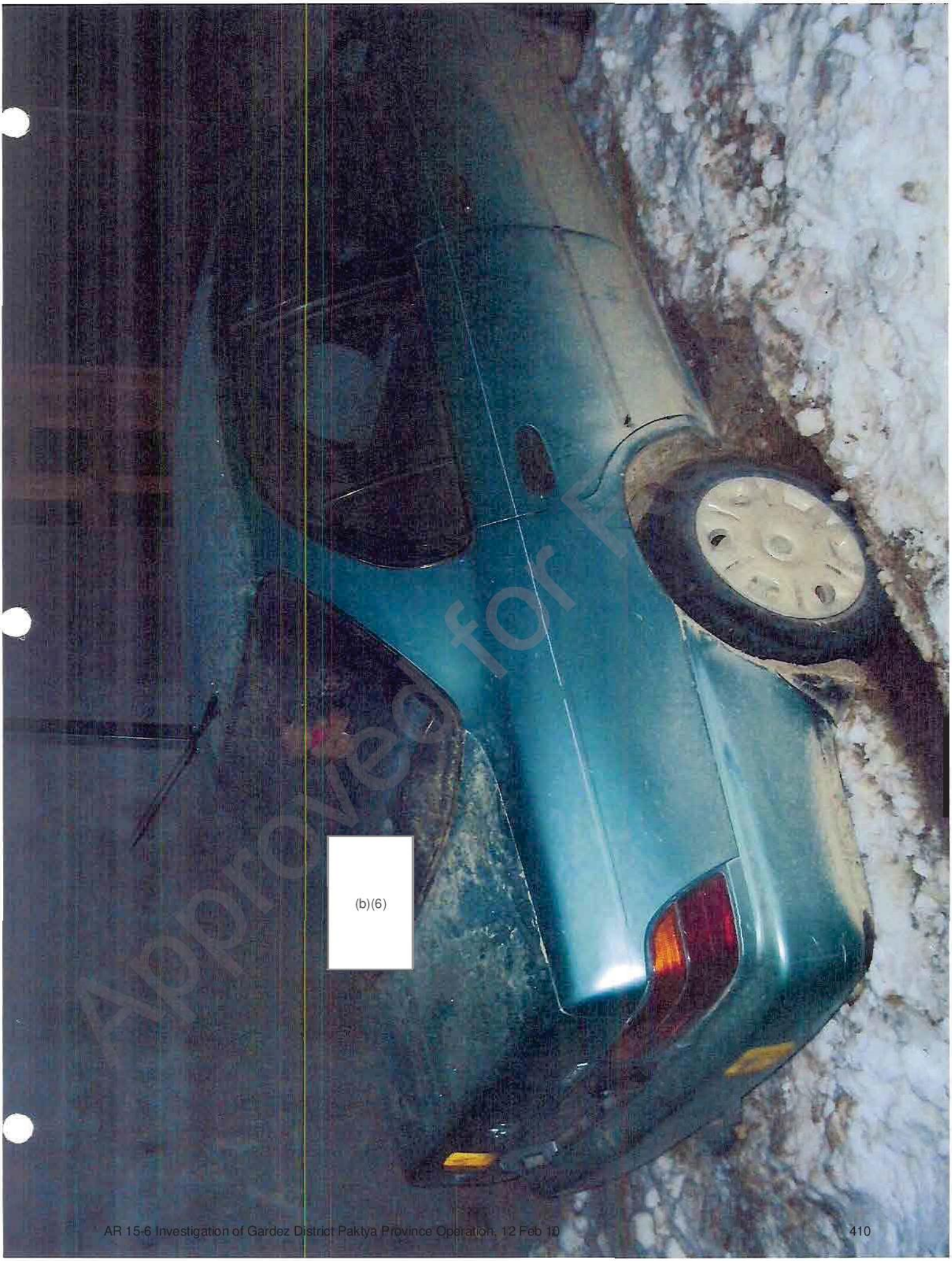

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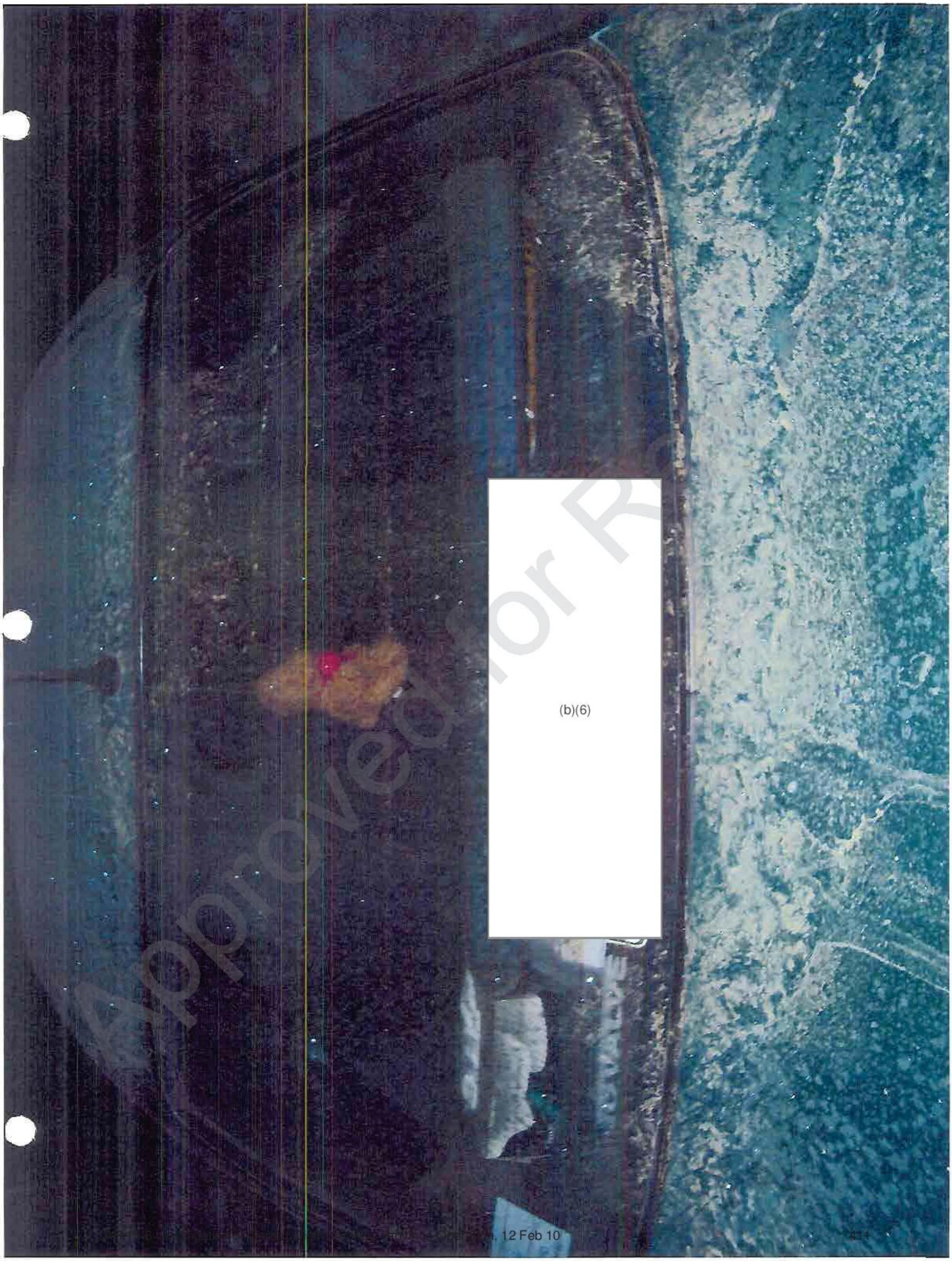

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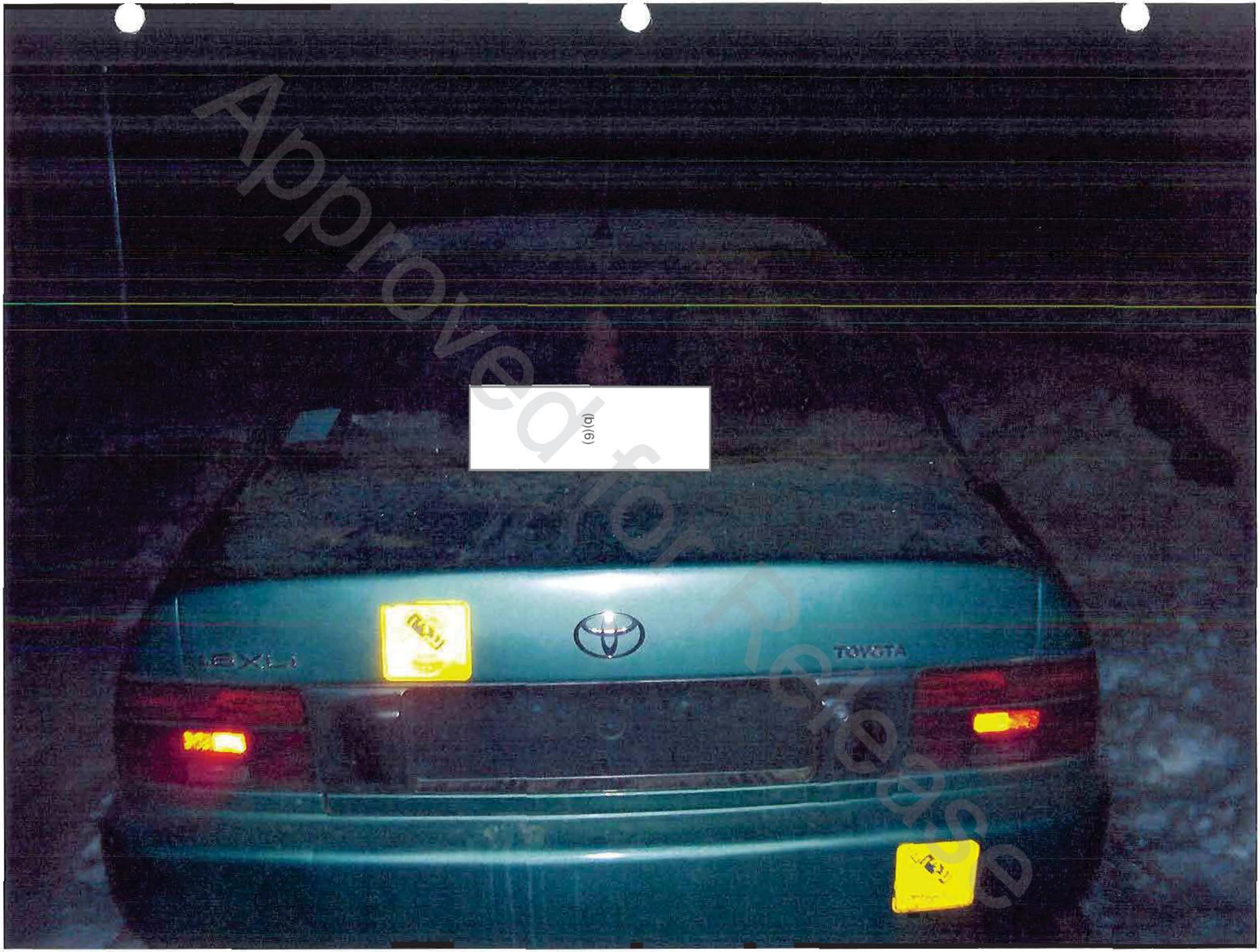

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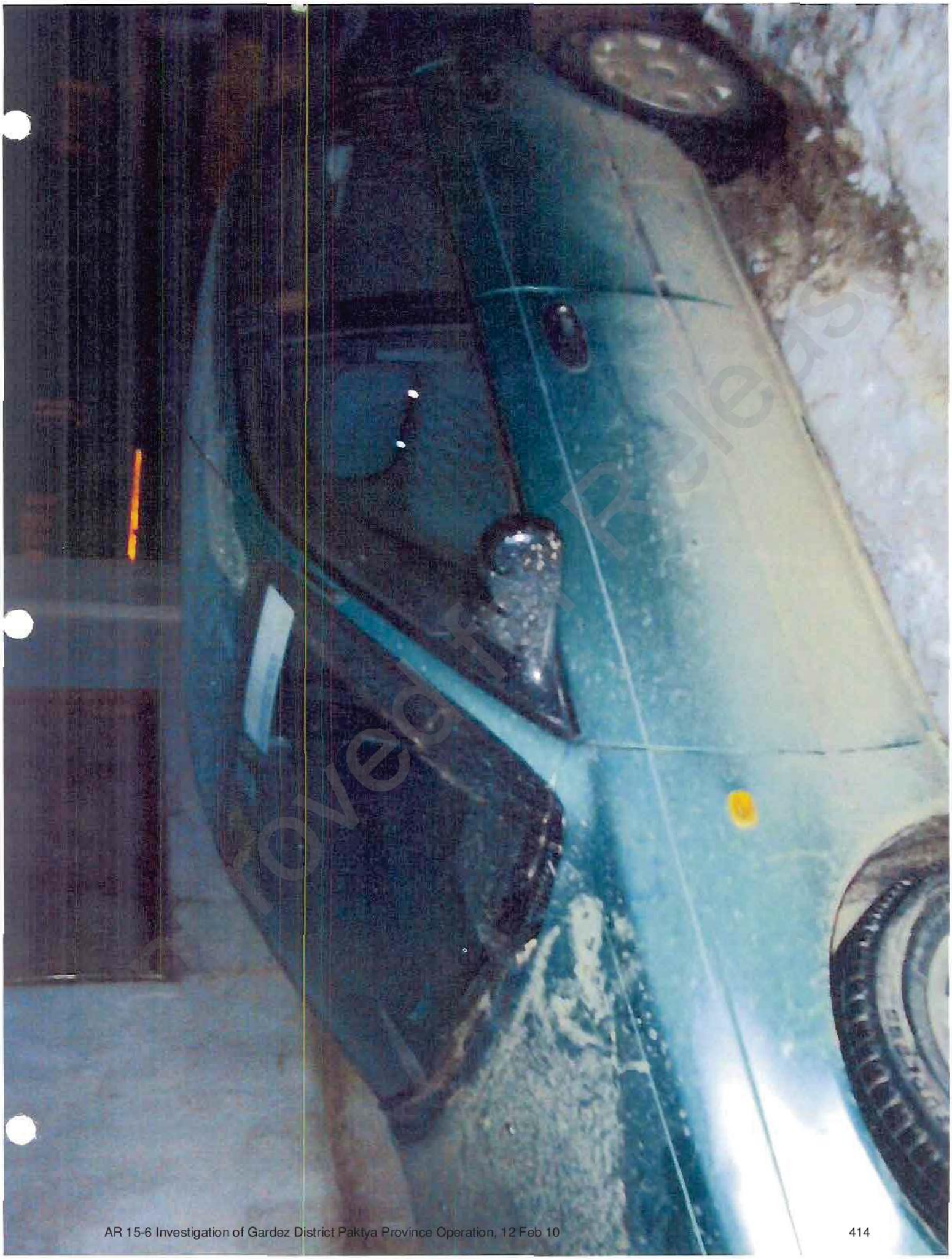

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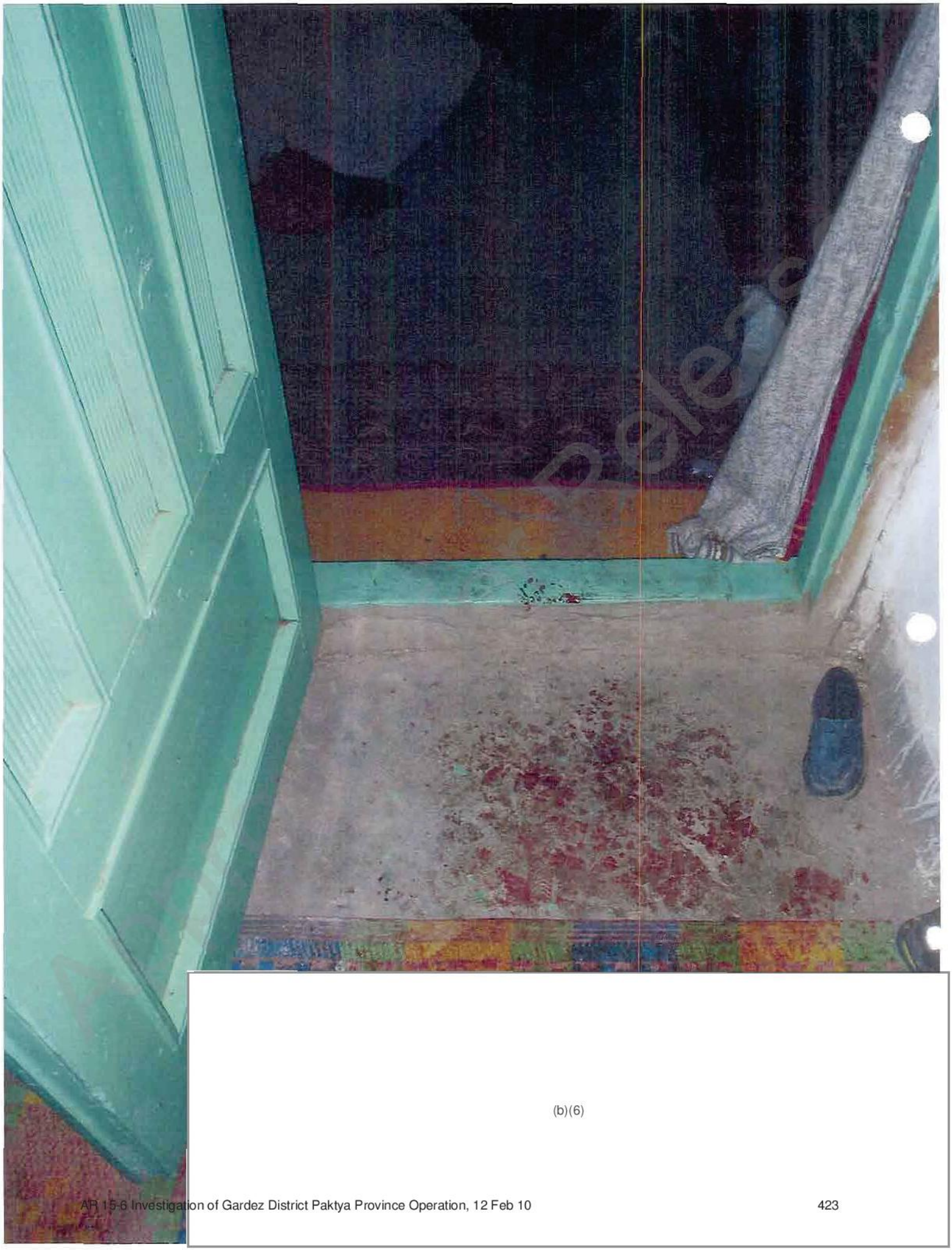

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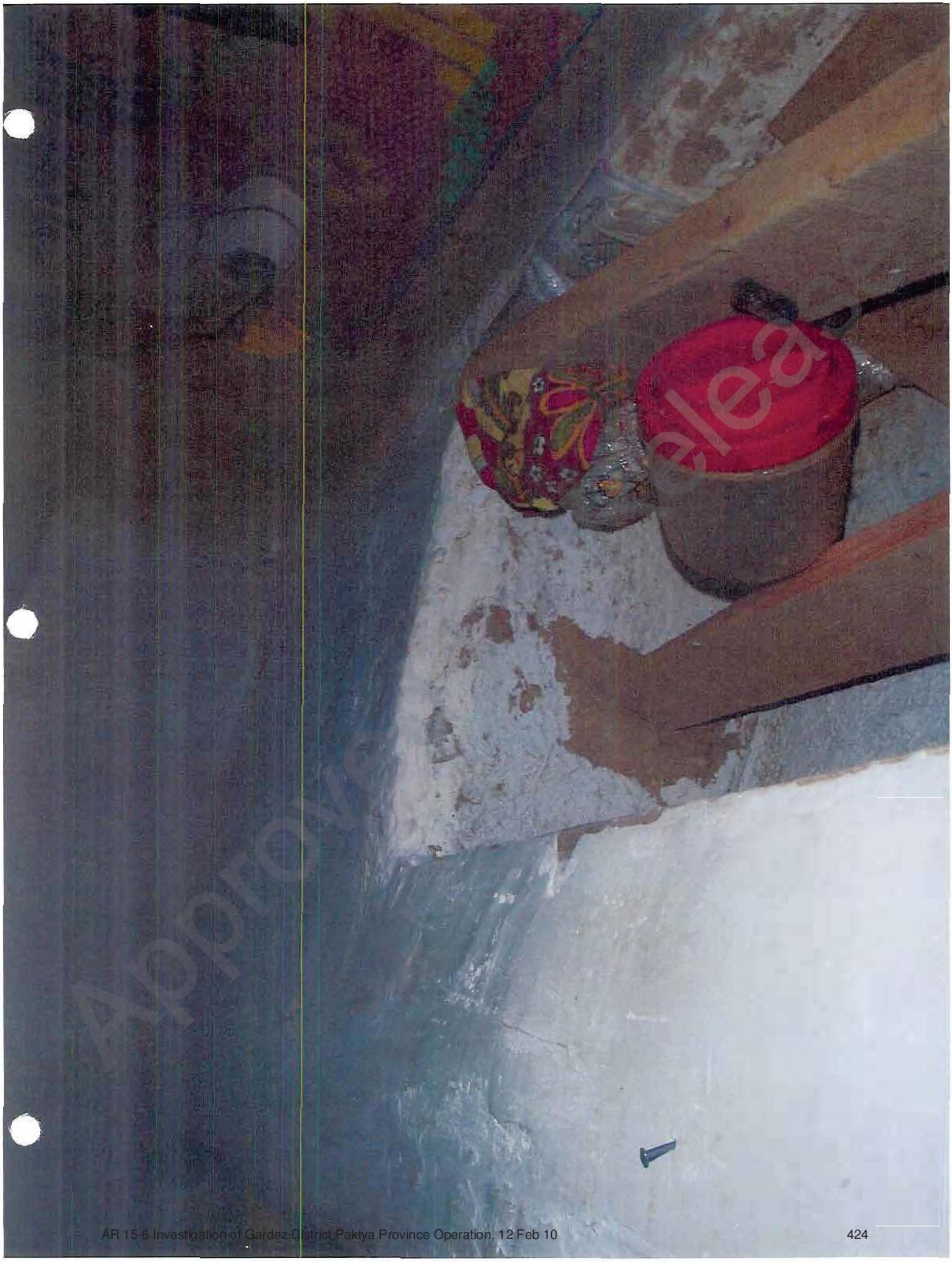

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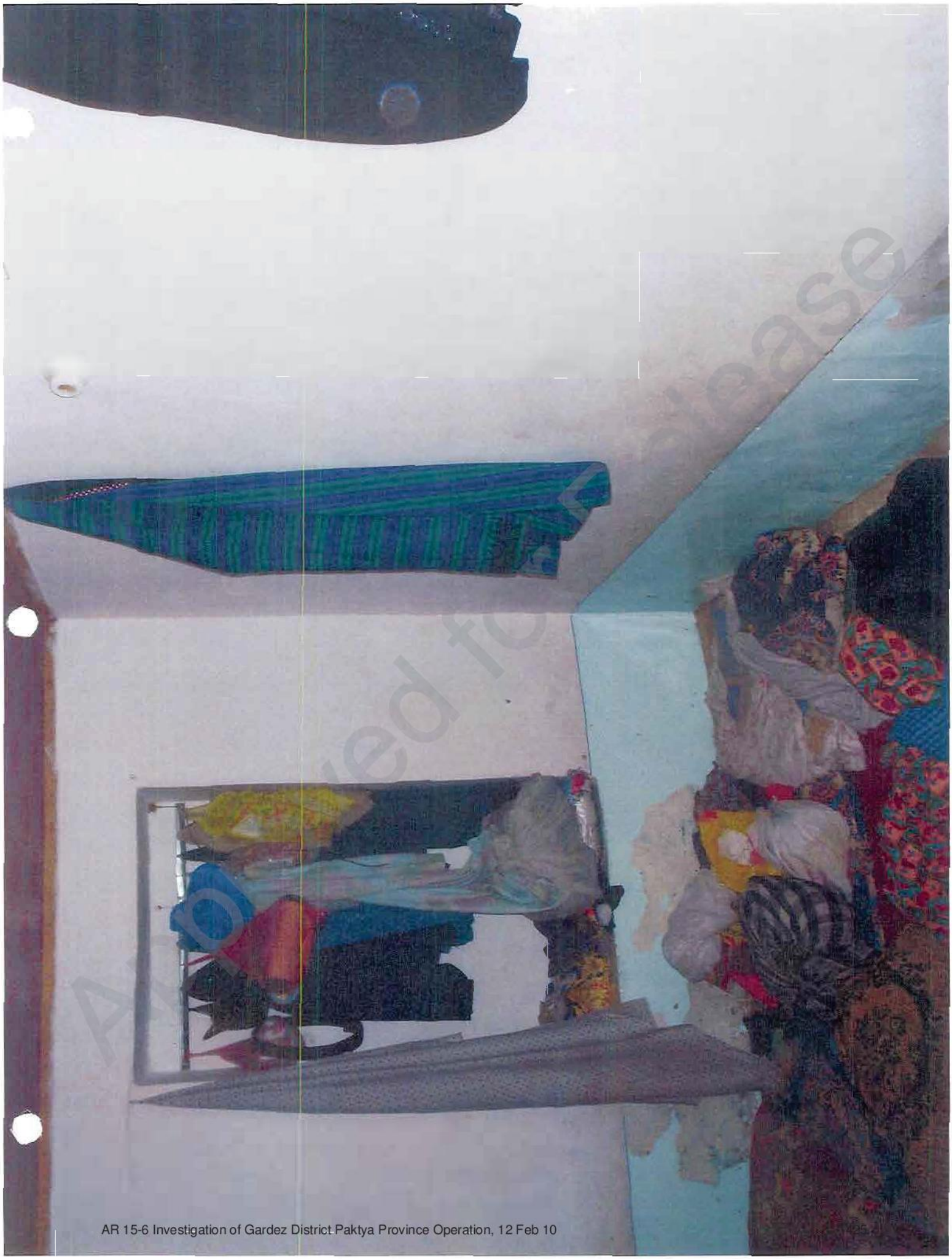

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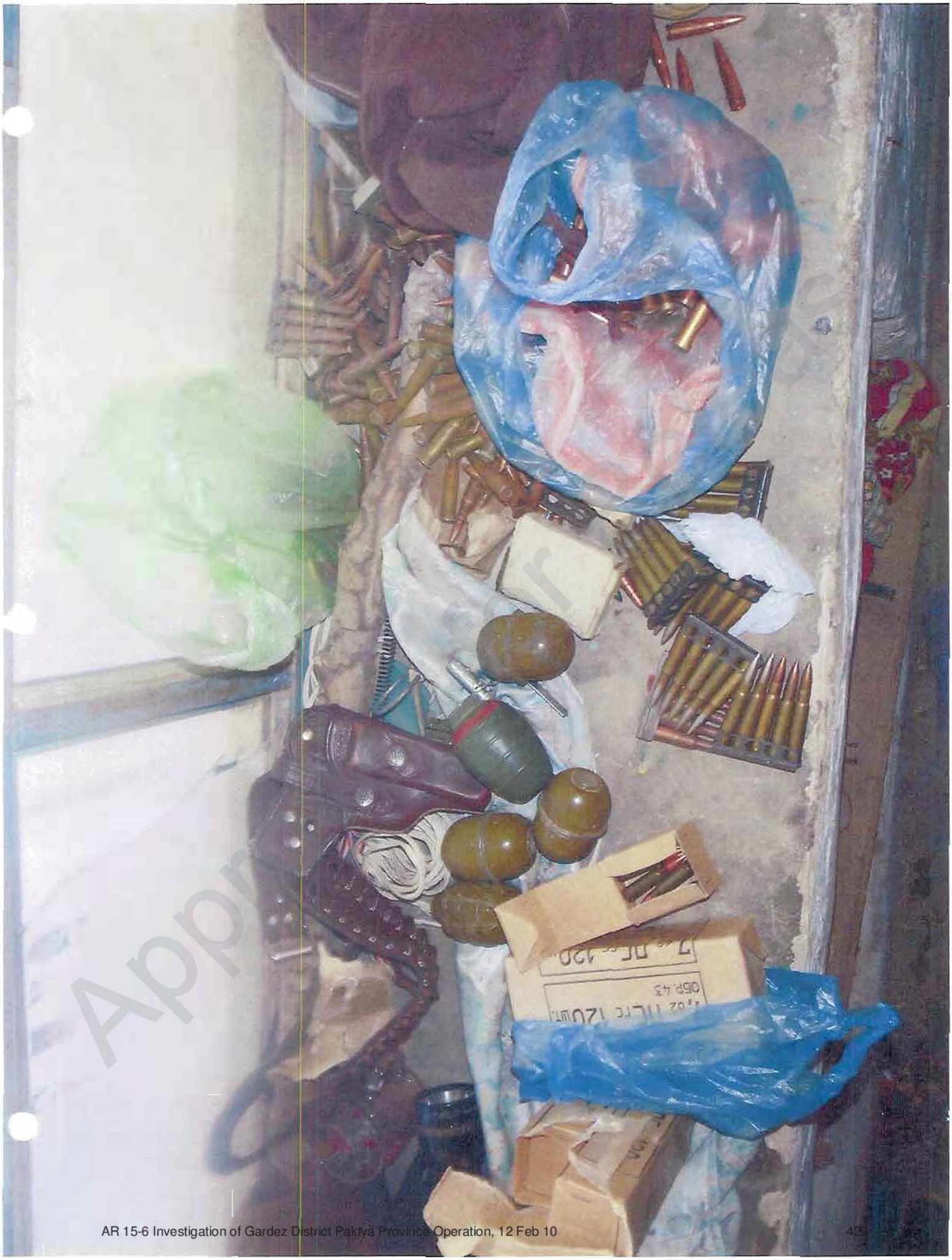

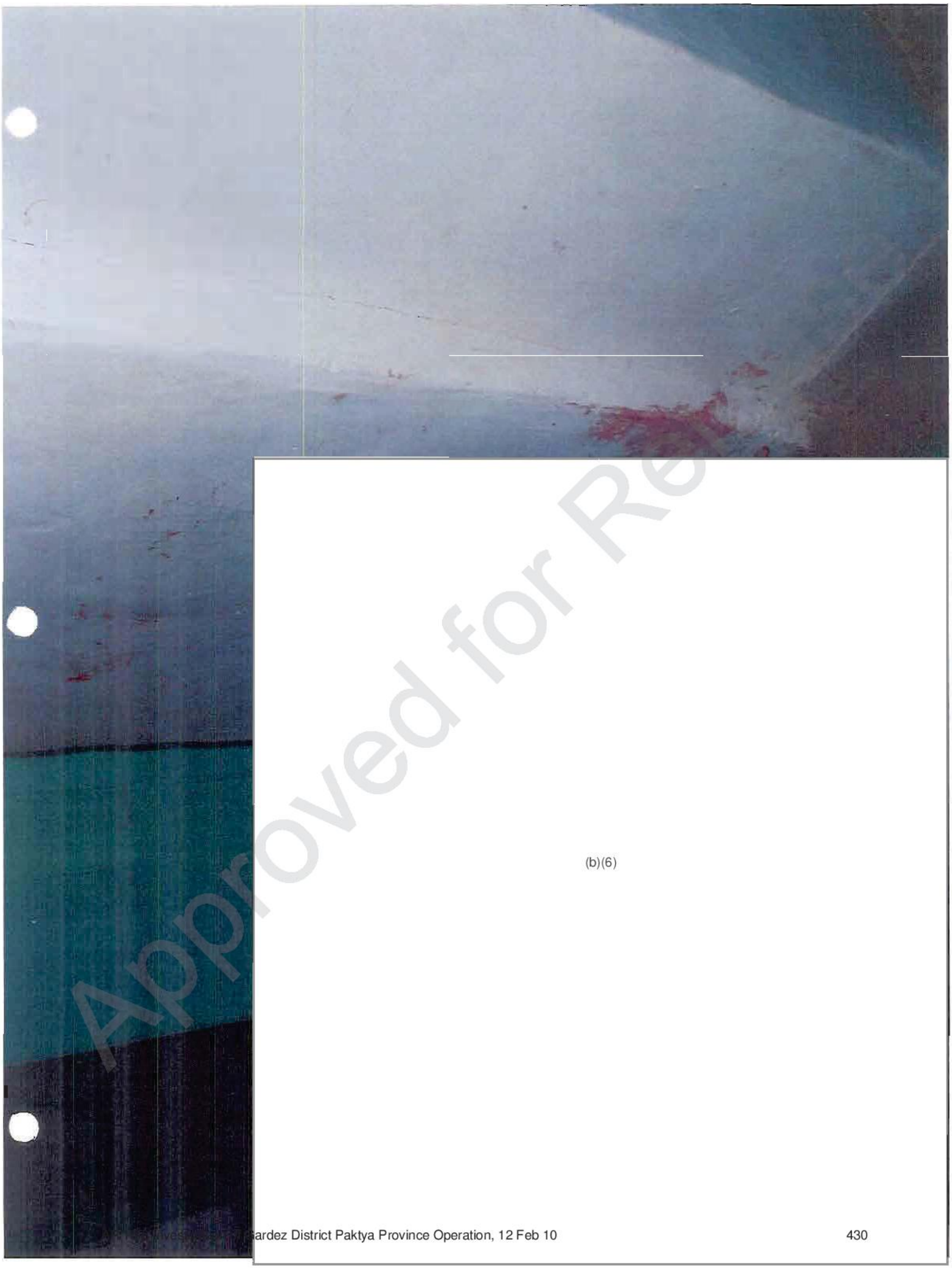

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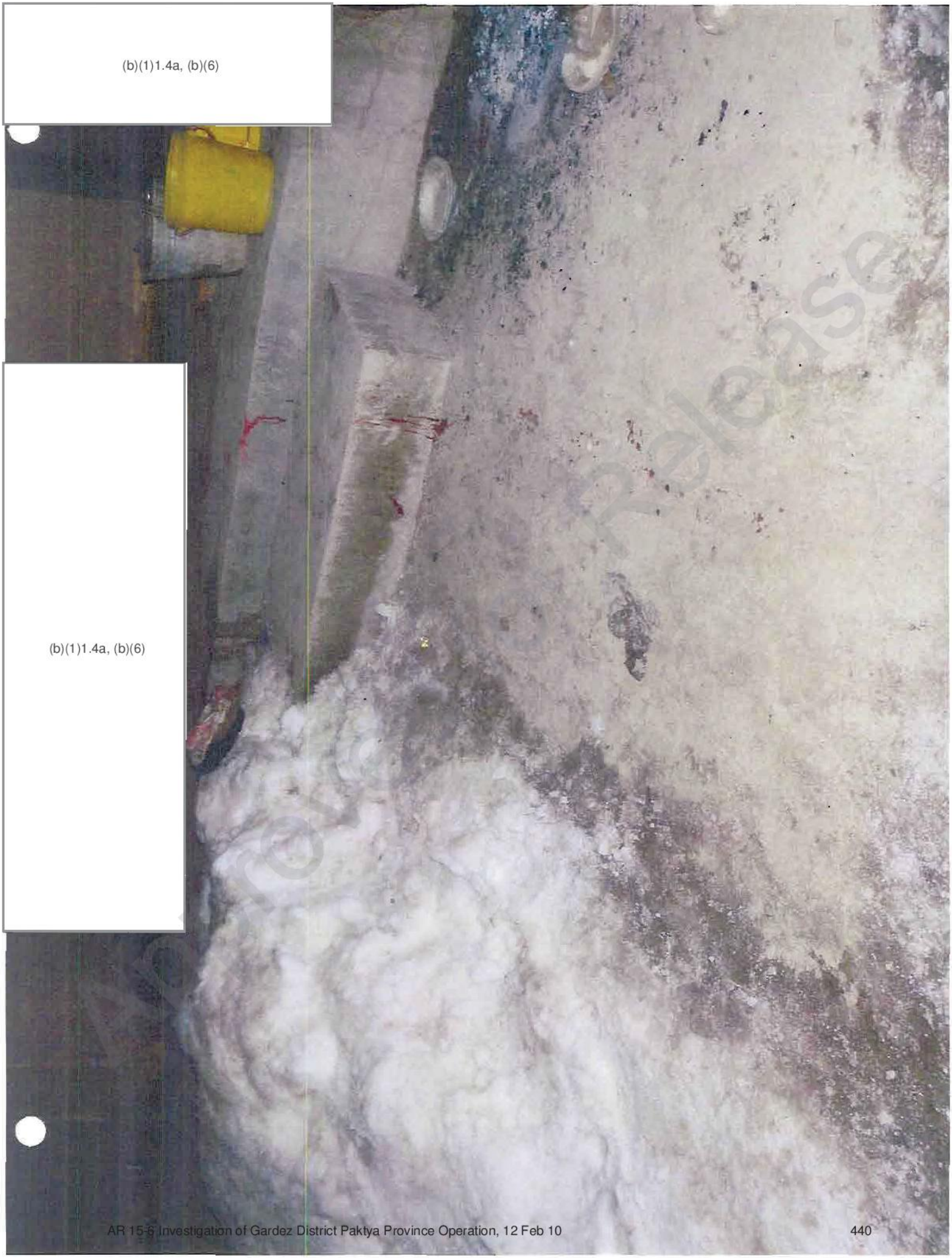

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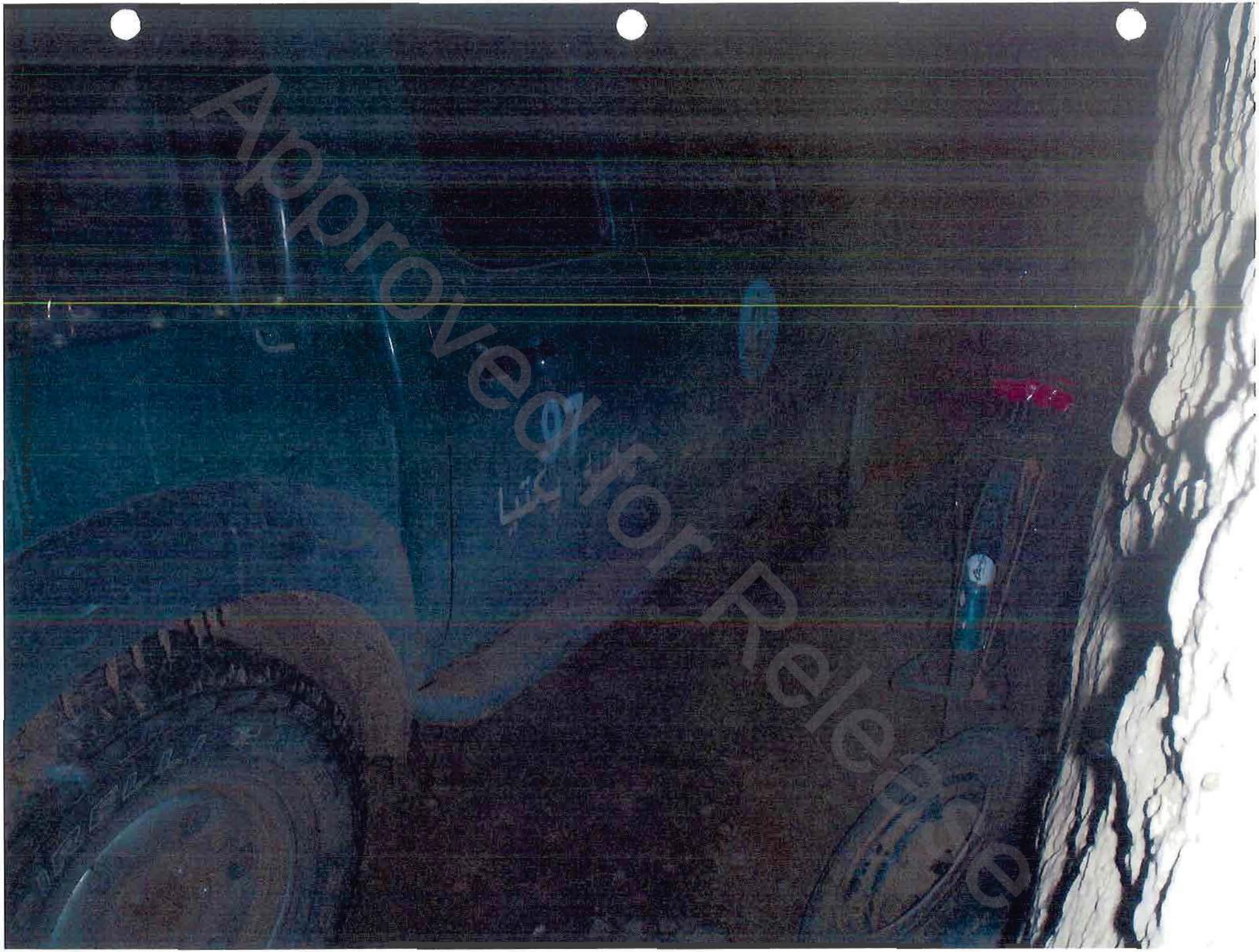

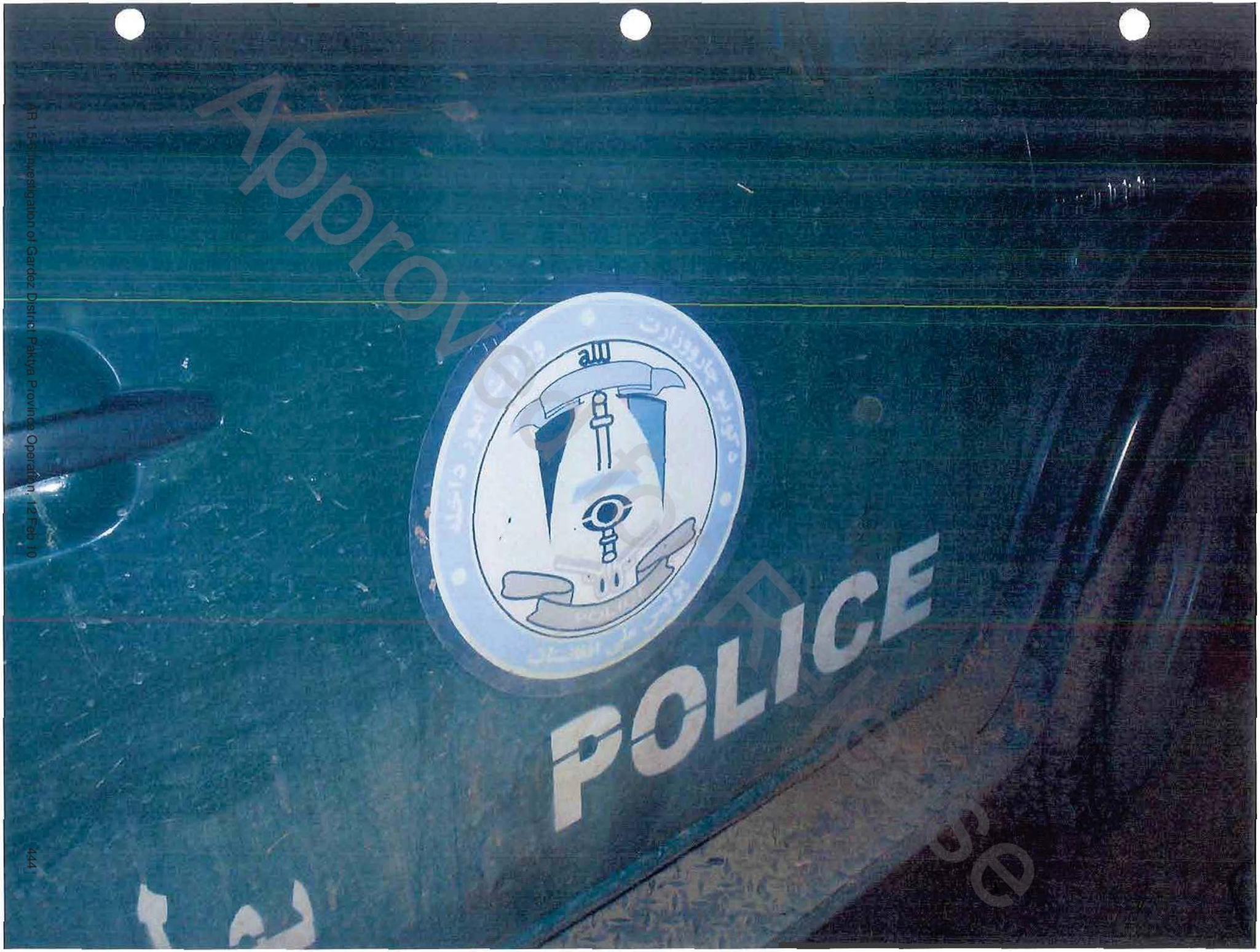

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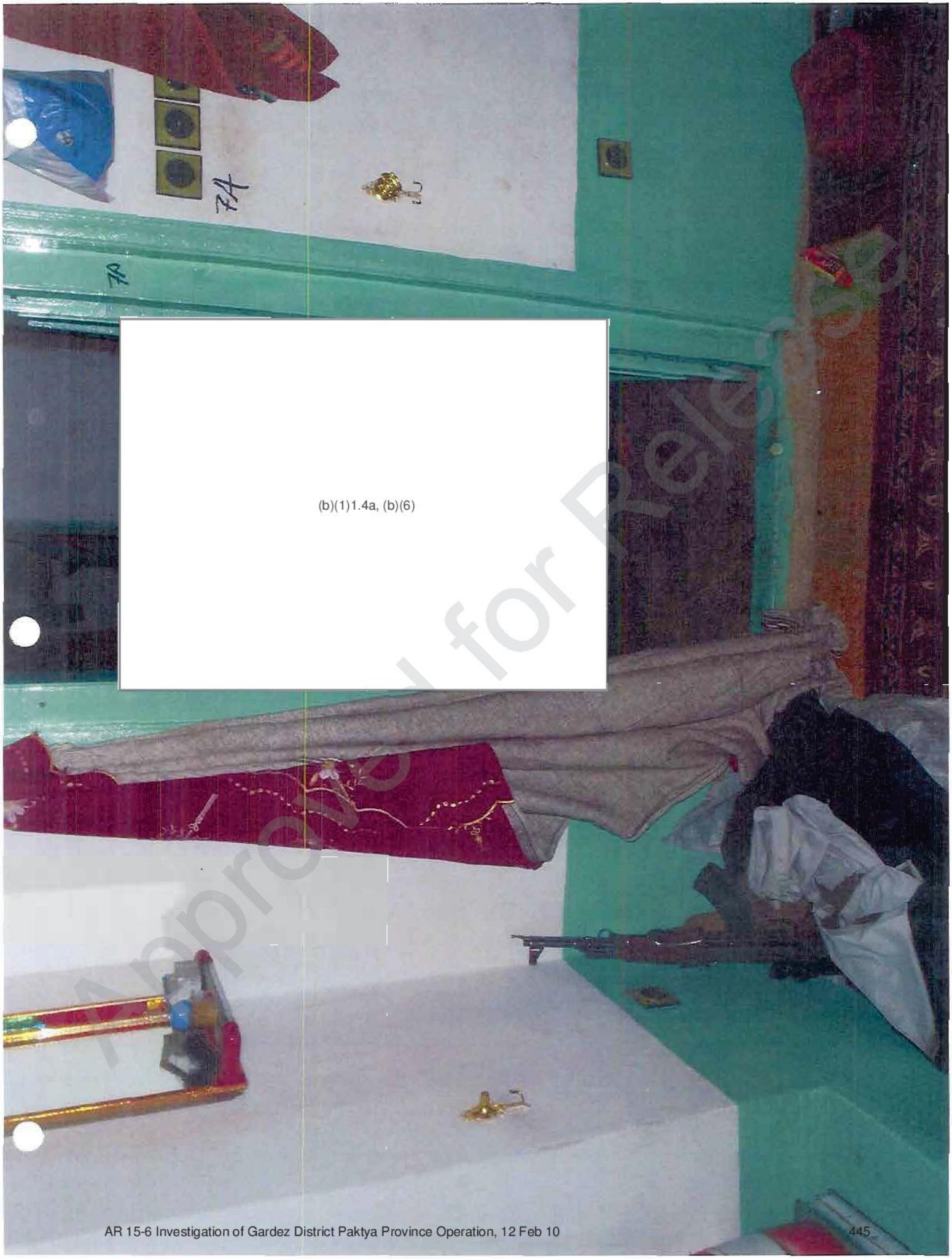

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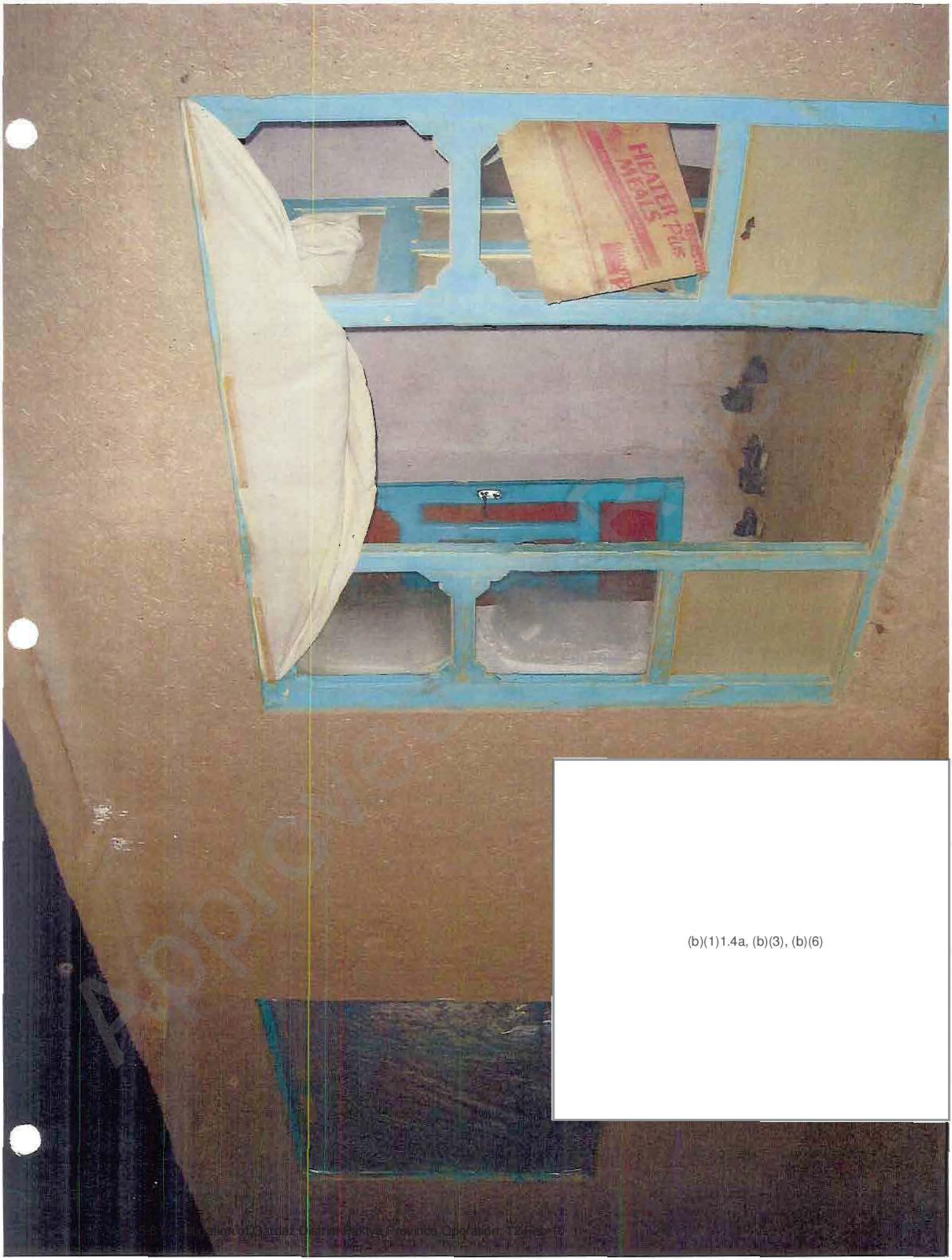

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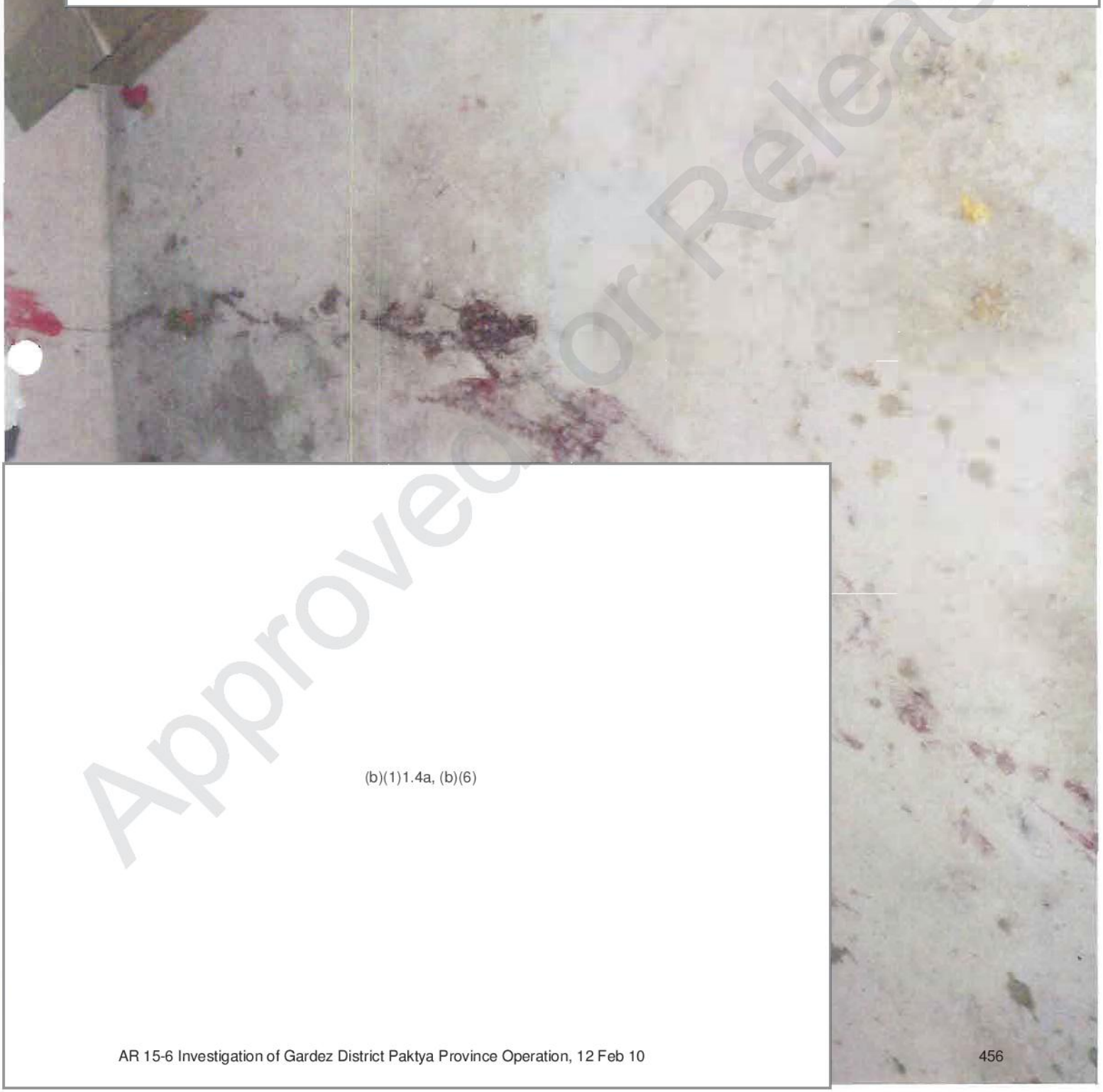

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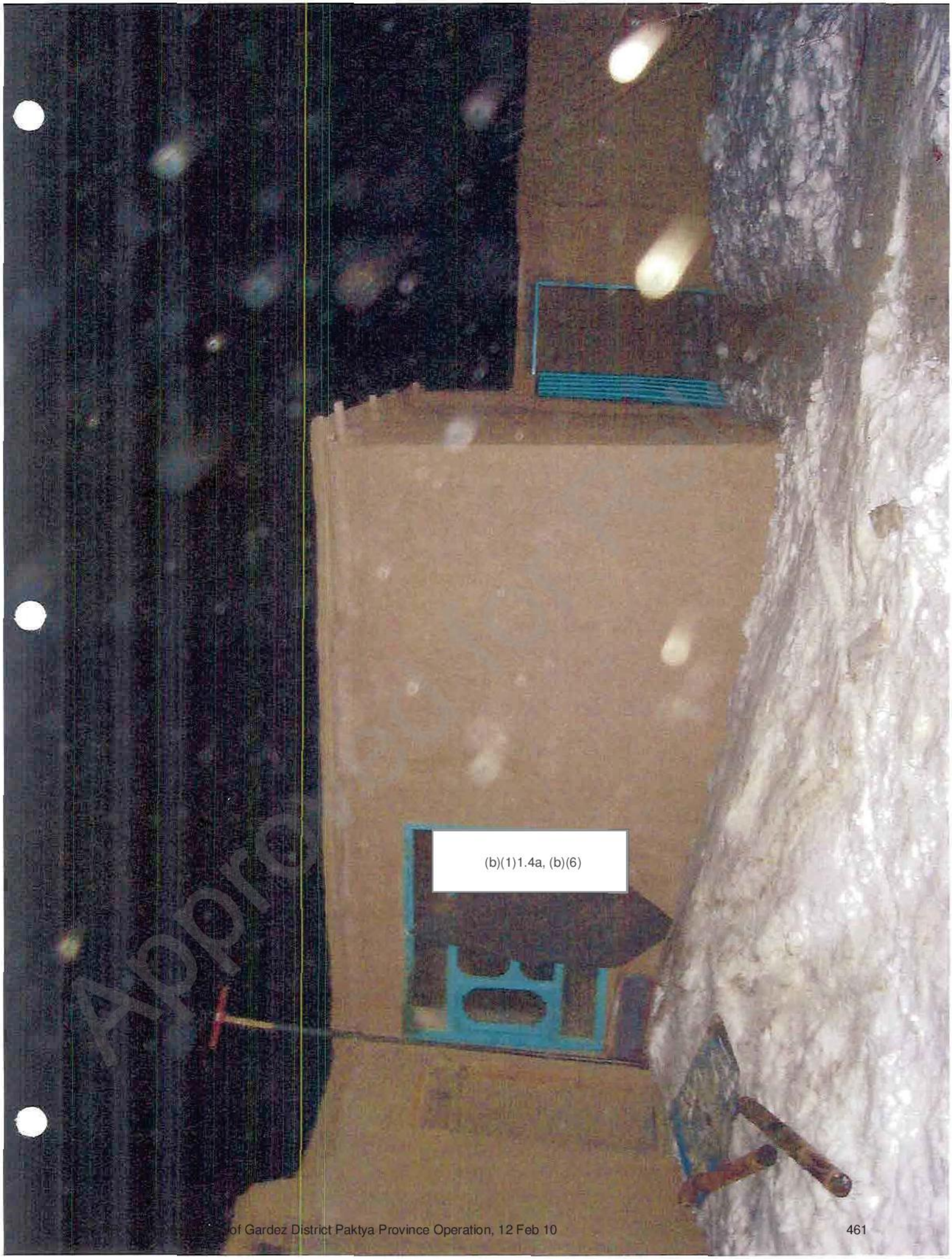
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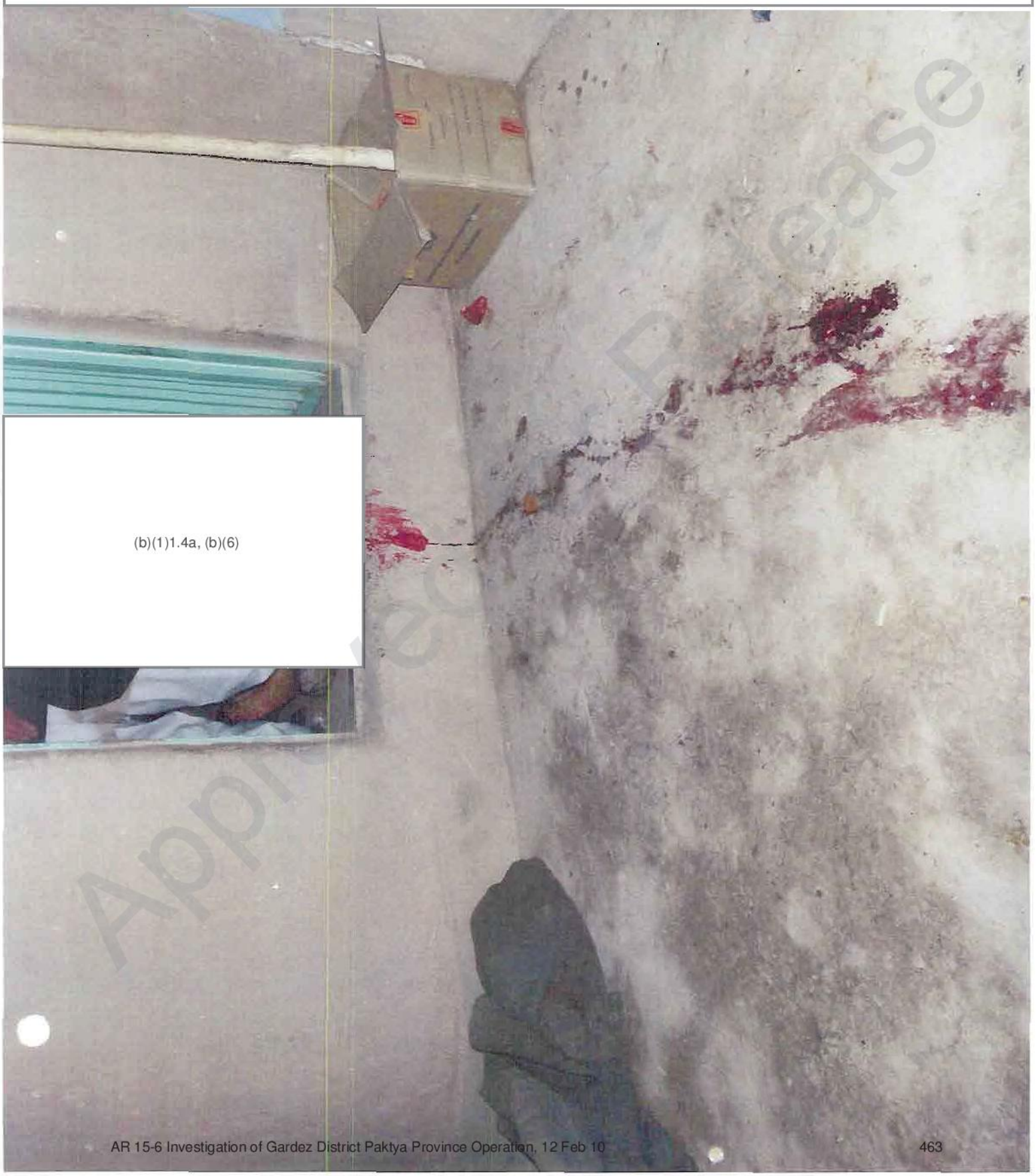

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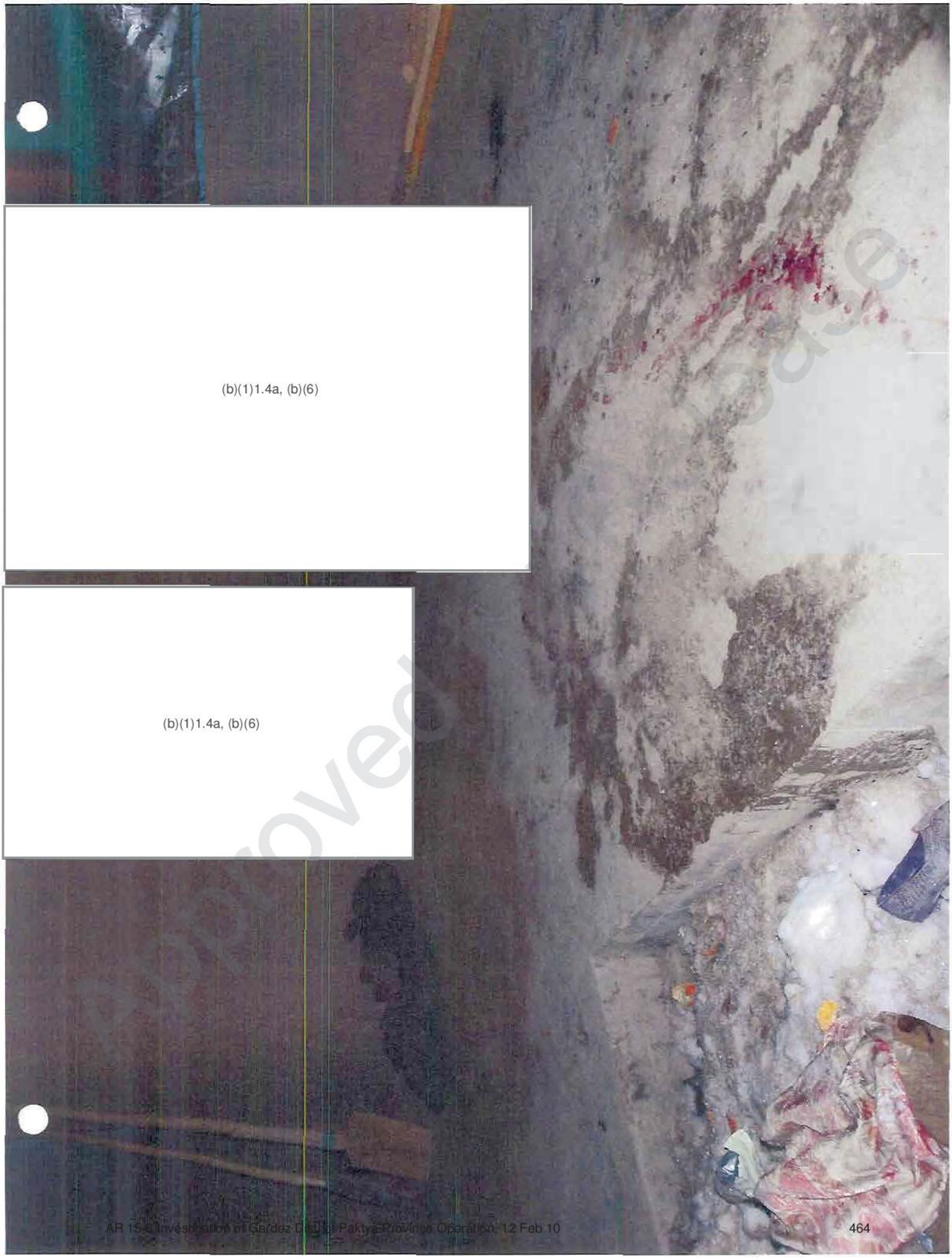

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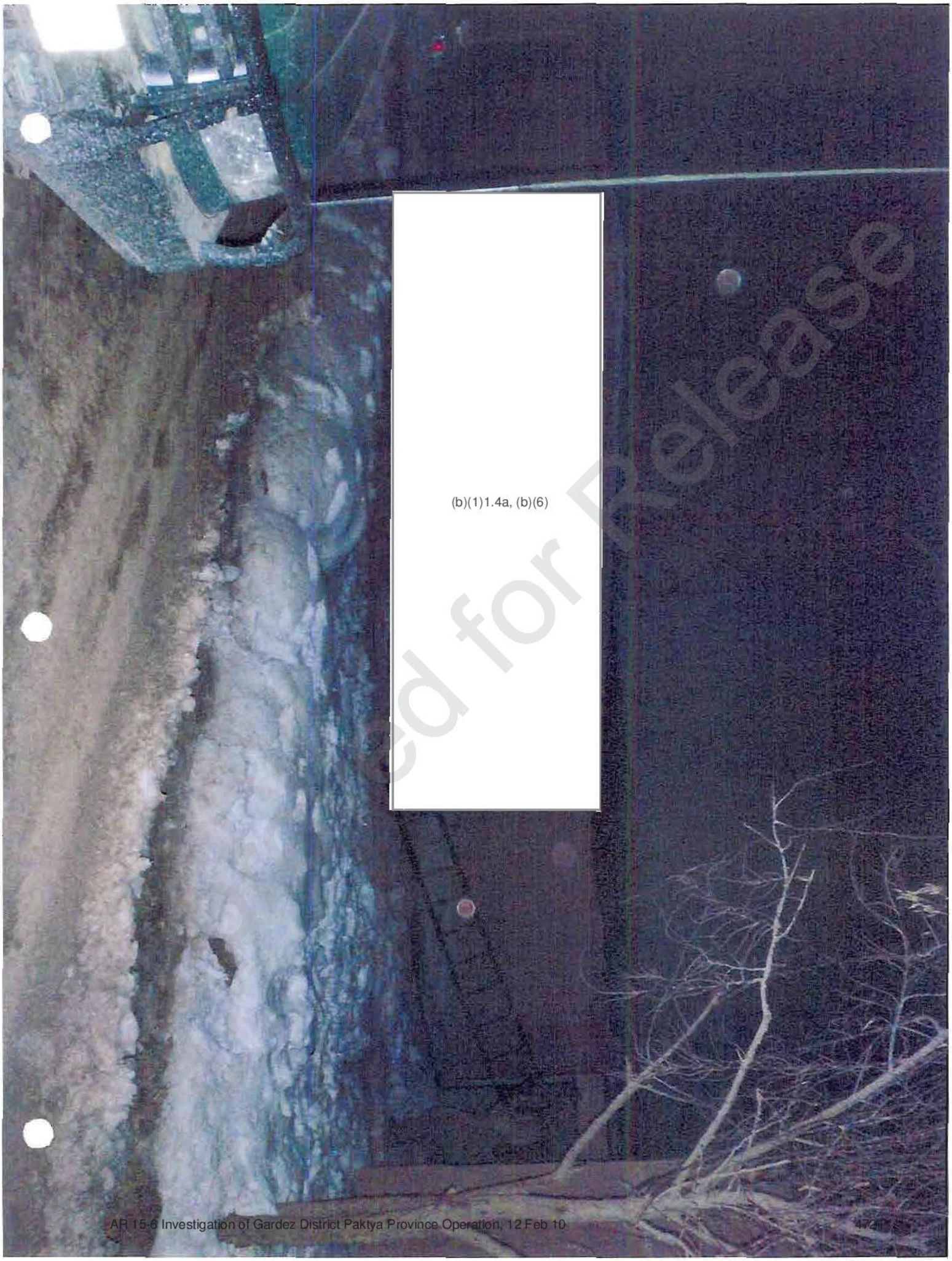

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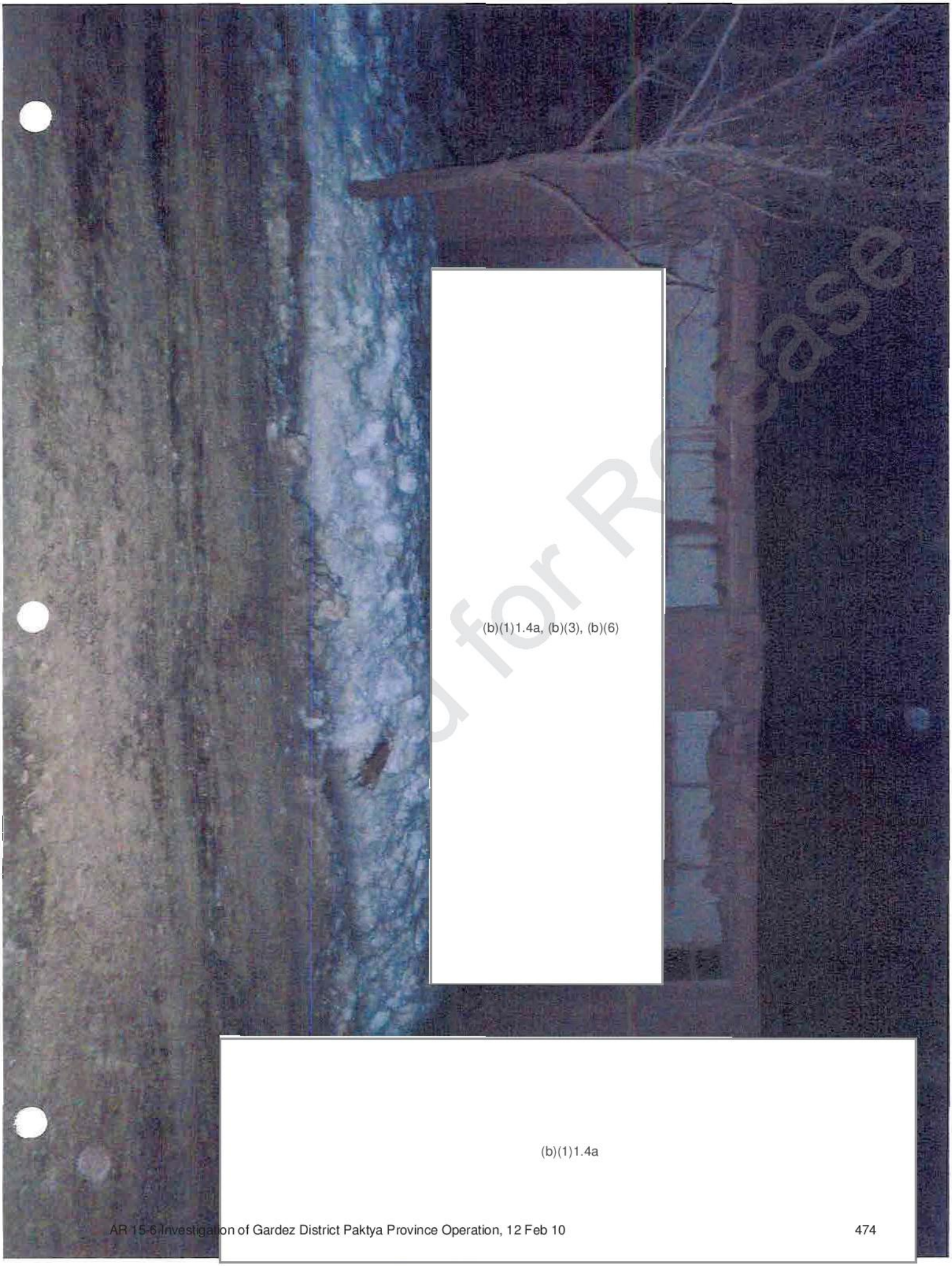

(b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a

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(b)(1)1.4a, (b)(6)

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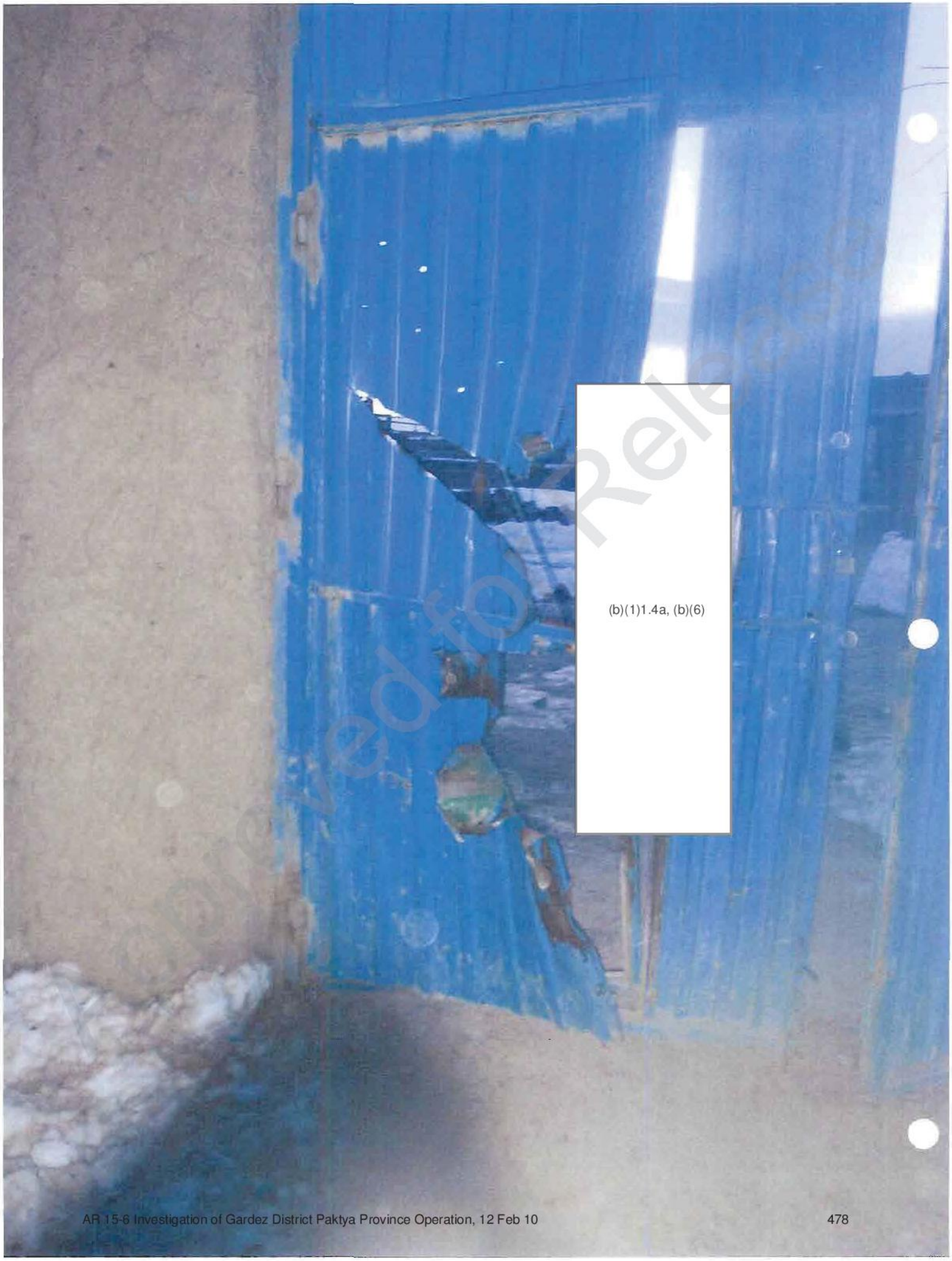
(b)(1)1.4a, (b)(6)

(b)(1)1.4a, (b)(6)

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SSE Video Taping on Target

(see portal)

Approved for Release

11 February 2010

Post Operation IO and Mitigation

Gardez District; Paktya Province (b)(1)1.4a

The atmospherics for Paktya Province:

QUESTION (PROVINCE WIDE)	%
RURAL MALES LITERATE	40%
RURAL FEMALES LITERATE	22%
OVERALL LITERATE (URBAN & RURAL)	31%
VIEWS TB AS ENEMY	55%
VIEWS AQ AS ENEMY	60%
VIEWS USA AS ENEMY	25%
ACCESS TO TELEPHONE	60%
ACCESS TO RADIO	100%
STATES FAMILY FINANCES BETTER THAN LAST YEAR	19%

GOV: Juma Khan Hamdard, former gov of Balkh and Jowzjan provinces, former HIG, fought against TB in '94, then helped TB in '97
Tribal Confederation: Pashtun
Area Tribe: Zadran Ghilzai - Resides in the Zadran, Shwak, and Zurmat districts of Paktia. Jalaluddin Haqqani is an influential member of the Zadran tribe. The Zadran also live in Khoswt and Paktika provinces. Zadran are historically anti-CF and the tribe of the Haqqanis. Rivals with the Tani tribe. One Ph.D described them as "great robbers" and "utter savages" and that their country was formerly a refuge for bad characters.
BSO: (b)(1)1.4a
PRT: Gardez (US)

POST OBJECTIVE IO THEMES AND MITIGATION RECOMMENDATION

These talking points and civil affairs recommendations are provided for discussion with GIRoA officials and non-media key communicators. They are not intended for media engagements or discussions with U.S. audiences. Seek guidance from PAO personnel prior to any discussions with media representatives.

OPERATIONAL CONTEXT: TI is a Taliban weapons facilitator operating in Gardez District, Paktya Province. In addition to weapons facilitation, TI has been involved in planning VBIED attacks as well as an attack on the Mumtaz Hotel in Kabul City, Kabul Province. TI also maintains contact with multiple TB CDRs and sub-CDRs in southern Paktya.

FACTUAL STATEMENT: A partnered Afghan and Coalition AF conducted a combined operation in Gardez District against a TB sub-Commander. The AF conducted a peaceful callout prior to attempting to enter the building. Shots were fired when two MAM's with weapons displayed hostile intent resulting in 2 EKIA's and 2 EWIA. 8 detainees were taken off of the objective and 3 LN

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JOINT PRESS RELEASE

GOVERNMENT OF THE ISLAMIC REPUBLIC OF AFGHANISTAN
INTERNATIONAL SECURITY ASSISTANCE FORCE

2010-09-CA-02-004

Afghan-International Security Force are Conducting a Joint Investigation into Incident in Paktiya

KABUL, Afghanistan (Feb. 12) – The Interior Ministry and the International Security Assistance Force (ISAF) are conducting a joint investigation in the incident in Paktiya province in the Gardez district near the village of Khatabeh today. A joint Afghan-international security force found the bound and gagged bodies of two women and dead bodies of two men in a compound during an operation last night.

"ISAF continually works with our Afghan partners to fight criminals and terrorists who do not care about the life of civilians. The Interior Ministry of Afghanistan has sent a high ranking delegation today to jointly investigate this incident. We will cooperate fully in this joint investigation and provide any assistance the Interior Ministry requires," said Brig. Gen. Eric Tremblay, ISAF Spokesperson.

The joint force went to a compound, after intelligence confirmed militant activity. Several insurgents engaged the joint force in a fire fight and were killed. Subsequently, a large number of men, women, and children exited the compound. Eight men were detained for further questioning.

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د پکتیا ولایت درنو او عرتمندو اوسیدونکو،
د فبروروی میاشتی په ۱۵مه نیټه هغه ۸ بندیان چی دری ورځی مخکی په یوه نظامی عملیات کی د گردیز په ختابه کلی کی نیول شوی وو او گومان کیده چی د جنایتکارو بلواگرو سره به تړاو لری بیرته افغان ملی پولیسو ته وسپارل شول او د ایتلافی قوتونو لوړ رتبه چارواکو په حضور کی خوشی کړای شول.

په افغانستان او پکتیا ولایت کی د ایتلافی قوتونو مشرتابه په عملیاتو کی د وژل شویو کسانو په مړینه خپل خپگان او غم شریکی څرگندوی او هیله لری چی د نیول شویو کسانو خوشی کیدل به د متضررو کورنیو لږ اندازه غم کم کړی.
ستاسو د خوندیتوب لپاره د افغانستان اسلامی جمهوری دولت، افغان ملی امنیتی او ایتلافی ځواکونه یو ځای کار کوی تر څو ستاسو ټولنو ته نیکمرغی او سوکالی راوړی. پدی اساس گډ ځواکونه تاسو ته وعده درکوی چی د هغه څیړنی پایلی چی د کورنیو چارو وزارت او نورو چارواکو لخوا په کار اچول شوی او اوس مهال جریان لری له تاسو ټولو سره به شریکی کړای شی او د پیښی عاملین به د عدالت لپاره قضایی ارگانونو ته وسپارل شی.

Honorable People of Paktya Province,

On February 15, eight detainees who were captured three days earlier in a military operation in Khattaba village, Gardez District, and who were believed to be tied to the criminal insurgency, were handed over to ANP and released in the presence of high ranking Coalition Force Officers.

The Leadership of Coalition Forces in Afghanistan and Paktya Province express their deepest condolences for the loss of life that took place that day in Khattaba and hope that the rapid release of the detainees may in some way help the village's families to heal during this painful time.

GIRoA, ANSF and Coalition Forces are working together for your safety and to bring prosperity to your communities; they hereby vow to you that the outcome of the investigation into the tragic deaths in Khattaba will be shared with the great people of Paktya and that those elements responsible for this act will be brought to justice.

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NEWS RELEASE

ISAF Joint Command - Afghanistan

2010-02-CA-054
For Immediate Release

Joint force operating in Gardez makes gruesome discovery

KABUL, Afghanistan (Feb. 12) – *An Afghan-international security force found the* bound and gagged bodies of three women during an operation in the Gardez district, Paktiya province last night.

The joint force went to a compound near the village of Khatabeh, after intelligence confirmed militant activity. Several insurgents engaged the joint force in a fire fight and were killed. Subsequently, a large number of men, women, and children exited the compound, and were detained by the joint force. When the joint force entered the compound they conducted a thorough search of the area, and found the bodies of three women who had been tied up, gagged and killed. The bodies had been hidden in an adjacent room.

The joint force immediately secured the area and requested expert medical support and will conduct a joint forensic investigation.

Eight men were detained for further questioning.

-30-

IJC Public Affairs Office

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070 113 2000 (wait for dial tone) 318-449-9244/9153/9154

From outside Afghanistan +93 799 51 3999 (wait for voice prompt) 688-4441/4447

E-Mail: ijc.media@afghan.swa.army.mil or jcmediaopsnu@apod-kaia.isaf.nato.int

Website: www.nato.int/isaf

Notes for Editors:

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2. Visit us on the Web at ***ISAFmedia.com*** or on ***Twitter***, ***Facebook***, ***YouTube***, ***Flickr*** or ***DVIDS***

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From:
To:
Cc: (b)(1)1.4a, (b)(3), (b)(6)

Subject: COA Refined for Release of Detainees ~~(SECRET)~~
Date: Sunday, February 14, 2010 15:01:00

Classification: ~~SECRET~~
Caveats: No Caveat

I just relayed the following to (b)(3), (b)(6) at 1920 hours local:

- Next meeting with BG Bowes at 2000.
- Per agreement between LTG Yarman and BG Bowes for pax will be present for handoff of prisoners from coalition custody to Afghan custody at Goode LZ, (b)(1)1.4a LTG Yarman, Parliamentarian Wardag, DG Mangal, MG Fatah
- (b)(1)1.4a
- BG Bowes feels last coalition involvement in the process may be by him at Goode. All further actions (b)(1)1.4a will be handled by GIRoA and ANSF (202 Zone).

Other evolving details per BG Bowes:

- (b)(1)1.4a
- Press, family, elders would receive prisoners from 202nd Zone at ZHQ.

Next conversation between BG Bowes and LTG Yarman will be later tonight. MTF after that call.

Weather impact on air movement is TBD. Might cause delivery time to shift right. MTF (b)(1)1.4a (b)(1)1.4a ops will continue to coordinate air movement and backward planning timeline with (b)(1)1.4a (b)(1)1.4a ops. OEF pax participation in movement to Sharona for detainees pick up is confirmed.

(b)(1)1.4a, (b)(3), (b)(6)

From: (b)(1)1.4a, (b)(3), (b)(6)

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Sent: Sunday, February 14, 2010 6:16 PM

(b)(1)1.4a, (b)(3), (b)(6)

Subject: RE: COA Development reference Release of Detainees ~~(SECRET)~~
Importance: High

Sir – We just left MG Fatah's office after 3 hours with him. We didn't really discuss anything about the (b)(1)1.4a investigation etc, but he did mention to us at the end that the people of Gardez were promised that the detainees would be released tomorrow. He said that CFs had already made the agreement and he made it sound as if an announcement had already been made. I briefly mentioned the weather and the possibility that this could cause problems for aviation and he stated that the CFs already promised their release to the people. I just hope the weather doesn't interfere and the promise is a good one.

(b)(1)1.4a

V/R

(b)(1)1.4a, (b)(3), (b)(6)

From: (b)(1)1.4a, (b)(3), (b)(6)
Sent: Sunday, February 14, 2010 5:07 PM

(b)(1)1.4a, (b)(3), (b)(6)

Subject: COA Development reference Release of Detainees ~~(SECRET)~~

Classification: ~~SECRET~~
Caveats: No Caveat

Thank you for the reiteration.

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Reminder for all...the discussion ref MG Fatah and Zone involvement this morning was as a COA. Final decision is TBD based on BG Bowes and LTG Yarman's decision. As I just briefed DG Mangal doesn't see them being part of the transfer. After I'm able to talk with BG Bowes and (b)(3), (b)(6) *we will finalize the plan. Time TBD.*

(b)(3), (b)(6)

Is there any guidance from higher on timing of announcement of the release once we determine who will be involved? We will need to mitigate potential crowd/riot concerns in downtown Gardez. I would prefer GIRoA/ANSF hold off on a public announcement until after the actual hand over. *Thoughts or guidance from higher on this? NOTE: I have not asked ANSF/GIRoA about timing* of an announcement yet because I haven't told them the prisoners were being released. I have only said we are working on it.

(b)(1)1.4a, (b)(3), (b)(6)

From: (b)(1)1.4a, (b)(3), (b)(6)
Sent: Sunday, February 14, 2010 3:48 PM

(b)(1)1.4a, (b)(3), (b)(6)

Subject: RE: 505th Zone & Potential Release of Detainees ~~(SECRET)~~

Classification: ~~SECRET~~
Caveats: No Caveat

No. They will be released.

Airborne!

(b)(3), (b)(6)

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(b)(1)1.4a, (b)(3), (b)(6)

From: (b)(1)1.4a, (b)(3), (b)(6)
Sent: Sunday, February 14, 2010 3:17 PM

(b)(1)1.4a, (b)(3), (b)(6)

Subject: 505th Zone & Potential Release of Detainees ~~(SECRET~~)

Classification: ~~SECRET~~
Caveats: No Caveat

(b)(3), (b)(6)

Great point / concern. My impression from my conversations last night with (b)(1)1.4a is that the detainees are definitely going to be released and (b)(1)1.4a is just waiting for us (b)(1)1.4a to let them know the timeline (timeline determination will be based on information gathered by (b)(6) (b)(3), (b)(6) and BG Bowes during KLE's today...as of time of this email we are still waiting for them to RTB).

That said, (b)(1)1.4a, (b)(3), (b)(6) Is there ANY chance the detainees won't be released? We will work the details of where the aircraft fly for pick up (likely Goode then RTC) and then were we return the detainee's to (RTC???) based on the results of the KLE's today and how the ANSF and GIRoA want to move forward on the release (as we discussed last night).

Please let us know about certainty of release and we will provide details of the plan ASAP!

(b)(1)1.4a, (b)(3), (b)(6)

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(b)(6)

From: (b)(1)1.4a, (b)(3), (b)(6)
Sent: Sunday, February 14, 2010 2:39 PM

(b)(1)1.4a, (b)(3), (b)(6)

Subject: Potential Relase of Detainees
Importance: High

Sir – Reference the potential release of the detainees tomorrow, I discussed some concerns with your Battle Captain this morning as well as the Ops NCO for the (b)(1)1.4a told them that I cannot effectively approach MG Fatah about this until the approval for release has been confirmed and flight information is available. We cannot take the chance that the "OK" will not be given to release the detainees tomorrow which would cause us to lose all credibility with the Zone, the tribal elders and Shura members; especially at this point in time. Thus, until I am certain it is a go, I will not talk to him about supporting the release but will do so immediately upon approval. Lastly,

(b)(1)1.4a

V/R

(b)(1)1.4a, (b)(3), (b)(6)

Classification: ~~SECRET~~
Caveats: No Caveat

Classification: ~~SECRET~~
Caveats: No Caveat

Classification: ~~SECRET~~
Caveats: No Caveat

Classification: ~~SECRET~~
Caveats: No Caveat

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From:
To: (b)(1)1.4a, (b)(3), (b)(6)
Cc:
Subject: FW: IJC PRESS RELEASE #054: Joint force operating in Gardez makes gruesome discovery (UNCLASSIFIED)
Attachments: 2010-02-CA-054-Joint force operating in Gardez makes gruesome discovery.pdf

---

Here is the initial press release.

-----Original Message-----
From: (b)(3), (b)(6)
Sent: Friday, February 12, 2010 10:07 AM
To: IJC Media Operations
Subject: IJC PRESS RELEASE #054: Joint force operating in Gardez makes gruesome discovery (UNCLASSIFIED)

Classification: UNCLASSIFIED
Caveats: NONE

2010-02-CA-054
For Immediate Release

Joint force operating in Gardez makes gruesome discovery

KABUL, Afghanistan (Feb. 12) – An Afghan-international security force found the bound and gagged bodies of three women during an operation in the Gardez district, Paktiya province last night.

The joint force went to a compound near the village of Khatabeh, after intelligence confirmed militant activity. Several insurgents engaged the joint force in a fire fight and were killed. Subsequently, a large number of men, women, and children exited the compound, and were detained by the joint force. When the joint force entered the compound they conducted a thorough search of the area, and found the bodies of three women who had been tied up, gagged and killed. The bodies had been hidden in an adjacent room.

The joint force immediately secured the area and requested expert medical support and will conduct a joint forensic investigation.

Eight men were detained for further questioning.

-30-

v/r

(b)(3), (b)(6)

Classification: UNCLASSIFIED
Caveats: NONE

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From:
To: (b)(3), (b)(6)
Cc:
Subject: FW: ISAF-MOI RELEASE-004-ISAF-MOI Investigation into Paktiya Incident (UNCLASSIFIED)

Gentlemen,

Here is one of the initial press releases from ISAF.

(b)(3), (b)(6)

-----Original Message-----
From: ISAF NU HQ PRESSOFFICE [mailto:PRESSOFFICE@hq.isaf.nato.int]
Sent: Friday, February 12, 2010 1:06 PM
To: undisclosed-recipients
Subject: ISAF-MOI RELEASE-004-ISAF-MOI Investigation into Paktiya Incident (UNCLASSIFIED)

Classification: NATO/ISAF UNCLASSIFIED

Sir/Ma'am,

Please see the joint MOI-ISAF press release below.

2009-09-CA-02-004

Afghan-International Security Force are Conducting a Joint Investigation into Incident in Paktiya

KABUL, Afghanistan (Feb. 12) – The Interior Ministry and the International Security Assistance Force (ISAF) are conducting a joint investigation in the incident in Paktiya province in the Gardez district near the village of Khatabeh today. A joint Afghan-international security force found the bound and gagged bodies of two women and dead bodies of two men in a compound during an operation last night.

"ISAF continually works with our Afghan partners to fight criminals and terrorists who do not care about the life of civilians. The Interior Ministry of Afghanistan has sent a high ranking delegation today to jointly investigate this incident. We will cooperate fully in this joint investigation and provide any assistance the Interior Ministry requires," said Brig. Gen. Eric Tremblay, ISAF Spokesperson.

The joint force went to a compound, after intelligence confirmed militant activity. Several insurgents engaged the joint force in a fire fight and were killed. Subsequently, a large number of men, women, and children exited the compound. Eight men were detained for further questioning.

Afghan and international security forces work together to eliminate the insurgents and terrorist threats and to ensure the safety and well-being of the Afghan people.

- ends -

Ministry of Interior, Islamic Republic of Afghanistan, Directorate of Media and Public Relations, office telephone: (b)(6)

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ISAF Public Affairs Office
Primary: (b)(6)
Mobile:
E-mail: pressoffice@hq.isaf.nato.int <mailto:pressoffice@hq.isaf.nato.int> / USFOR-A-MediaRelations@afghan.swa.army.mil <mailto:USFOR-A-MediaRelations@afghan.swa.army.mil>

Website: www.nato.int/isaf <http://www.nato.int/isaf>

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From:
To:
Cc: (b)(1)1.4a, (b)(3), (b)(6)

Subject: FW: (b)(1)1.4a Follow Up KLE"s 16FEB10 ~~(SECRET)~~
Date: Thursday, February 18, 2010 16:44:31

Gentlemen, as requested, below is the latest update that (b)(3), (b)(6) on the atmospherics in Gardez right now and other topics related to (b)(1)1.4a. It's pretty comprehensive and I think it will tell you what you need to know. This email was sent two days ago, the last day that (b)(3), (b)(6) conducted KLEs. But he has several more meetings planned with tribal and government leaders over the course of the next two days. More to follow from that. Thank you.

Very respectfully,

(b)(1)1.4a, (b)(3), (b)(6)

From: (b)(1)1.4a, (b)(3), (b)(6)
Sent: Tuesday, February 16, 2010 8:34 PM

(b)(1)1.4a, (b)(3), (b)(6)

Subject: (b)(1)1.4a Follow Up KLE's 16FEB10 ~~(SECRET)~~

Classification: ~~SECRET~~
Caveats: No Caveat

Sir,

We **returned around 1830** following two of the four planned KLE's. We've arranged to meet with **DG Mangal and NDS tomorrow** afternoon.

BG Wardak only (BG Deestiger got called away and was not present)

- **Said** he made 3-4 visits with the family and provided $6,000 of a total of $10,000 that the AUP will provide them. During visits AUP delivered oil, rice, fuel, and other items for the home
- The sentiment of the people and family is good and getting better daily. All of the problems the first day were due to two former Gitmo detainees who were instigating problems with the assembled crowds. S2 will follow up reference the names and background on the alleged instigators.

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- (b)(6) of two dead males, Dawoud and Zahir, and patriarch of family) told the family "the incident is over, it is time to put water on the 'heat' and calm the people down".
- Release of the detainees and return of the weapons yesterday, was "EXTREMELY good" and is known province wide.
- Reference the alleged stolen money, BG Wardak said "I don't think he would have that much money in his house, and if he did, we need to ask where he got it." I thought this was an interesting turn of events, given (b)(6) didn't say anything about money until I was on the objective for well over an hour. He only mentioned the theft of money after he went into a room by himself with BG Wardak. When they came out, he started claiming to me that the coalition stole his money.
- The AUP has arranged to pay Dawoud's AUP salary to (b)(6) for the rest of the (b)(6) life. This was confirmed by (b)(3), (b)(6). PHQ is working with GIRoA to try and do the same with Zahir's (other dead male) prosecutor pay.
- Both BG Wardak and MG Fatah indicated that they offered the remaining (b)(6) a job with the AUP. They are doing that IOT prevent him from siding with the AAF who are actively recruiting him following (b)(1)1.4a.
- When asked what to do next he said
  - (b)(1)1.4a, (b)(5)

MG Fatah

- Reiterated comments by LTG Yarman reference the family going to Kabul to meet with GEN McChrystal (I assume he got this from LTG Yarman who stayed on the ZHQ compound while he was in Gardez).
- LTG Yarman called while we were with MG Fatah and reiterated his comments from yesterday. He confirmed that he arrived back in Kabul and asked that we call BG Bowes so the two of them can link up. We will pass the message later tonight and then get out of the middle of their communications since BG Bowes is no longer co-located with us at (b)(1)1.4a (b)(1)1.4a
- MG Fatah said he clearly understands the difference between coalition forces in Paktya and "SF". But he is concerned the bad deeds of the few may ruin the "good work the other 100,000 are doing".
- 11 children were orphaned as a result of the operation. 6 children orphaned by the death of Zahir and his wife. 5 children were orphaned by the detention of (b)(6) (who was released yesterday) and the death of his wife.
- It is interesting to note that MG Fatah is VERY sympathetic to all claims by the family and the villagers. For example he told me Dawoud and Zahir would have lived if they were allowed to go to the hospital but the special forces wouldn't let them go.
- MG Fatah said he had three meetings with the family so far and that he should be the

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From: AF Commander
To: (b)(1)1.4a
Subject: FW: (b)(1)1.4a Mitigation & 2nd ABP Update ~~(SECRET)~~
Date: Sunday, February 14, 2010 04:11:33
Importance: High

CLASSIFICATION: ~~SECRET~~
CAVEATS: NONE
TERMS: NONE

(b)(1)1.4a, (b)(3), (b)(6)

(b)(1)1.4a, (b)(3), (b)(6)
Sent: Sunday, February 14, 2010 3:36 AM
To: AF Commander
Subject: FW: (b)(1)1.4a Mitigation & 2nd ABP Update ~~(SECRET)~~
Importance: High

(b)(3), (b)(6) – environmentals from an interview with MG Fatah, the PC of the 505th Zone.

From: (b)(1)1.4a, (b)(3), (b)(6)
Sent: Saturday, February 13, 2010 2:02 PM

(b)(1)1.4a, (b)(3), (b)(6)

Subject: (b)(1)1.4a Discussion with 505th Zone AUP Cdr
Importance: High

ALCON:

We met with MG Fatah this morning and discussed the ongoing investigation into the results of the (b)(1)1.4a operation yesterday. We discussed their investigation, temperament and mood of

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the populace, etc.

MG Fatah informed us that all the local elders, populace, leaders from Kabul are very concerned with the killing of the innocent women and the way in which the operation was executed without the use of the AUP or ANA from the Gardez Area. The local populace blames CFs for the unwarranted and unlawful killing of the these civilians and are especially concerned with the death of the women (one of whom was 9 months pregnant). The locals do not trust CFs or the GIRoA to protect human rights since they cannot even protect women which makes the Taliban no worse than us. There are a lot of negative feelings especially since they feel that they were deceived and that the Coalition Forces lied to try and cover up their killing of the women by saying that CF found the bodies of the women tied up when in fact, according to their reports, they were shot by the CF when they came into the courtyard to cover the bodies of the Daoud brothers.

The locals in Gardez under the direction of the local elders planned on boycotting all things tied to GIRoA and CFs, as they see the government and CFs as being complicit in human rights violations and the deaths of all the innocents, especially the women. They planned on boycotting schools, etc. and any projects supported by GIRoA. MG Fatah and the Kabul delegation met with the tribal leaders, calmed the situation and convinced them not to execute a boycott and protests to which the tribal elders agreed so long as the following demands were met. The following demands were relayed to us by MG Fatah from the tribal elders:

- Return of 400,000 Afghanis taken in the raid
- Release of the 8 men taken back to the 505th Zone HQs
- Turnover of informant to Afghan Police for prosecution for passing false information resulting in the death of innocent civilians

I informed MG Fatah that I would pass along the Gardez Leaders demands but that is all I could do.

According to MG Fatah their investigation so far has indicated that the family was celebrating the final day of the six day celebration for the birth of a child and the family was all inside the house when the raid element arrived on scene. When Mohammad Daoud heard the noise in the court yard and the initial breach activities of (b)(1)1.4a he went into the court yard thinking that he was being attacked by the Taliban since he was an AUP Intelligence Officer responsible for interfering with their activities in Zormat. The report has been corroborated by the Gardez University Deputy (who was attending the celebration) who called the Paktya PHQ AUP by cell phone at 0420 to indicate that the compound was being attacked by Taliban. According to MG Fatah, there was already an AUP element standing by at the Paktya PHQ because they had been informed earlier in the day that CF's would conduct a raid at some place in Gardez that night and would call them in to assist in the actual execution. The call from CFs did not occur but they responded to the scene upon the cell phone call from the University official (name unknown).

He further stated that there was no indication that Daoud or anyone else from the party fired at the CFs and that they were killed before they had any opportunity to try and defend themselves in what they believed to be an attack by the Taliban. The AUP is convinced that CFs were given false information by the Taliban in an effort to try and indirectly target Mohammad Daoud and Mohammad Zahir because they interfere with AAF activity as a police officer and prosecutor. He

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further stated that everyone knows that the CFs (which he regularly referred to as the Special Forces) lied about finding the women executed because the women killed were the wives and sisters of the men killed, all attending a celebration of birth

Two dead men:
Mohammad Daoud (b)(6) was an ANP officer Intelligence Officer, Captain from Zormat. Just complete our Intel class last week
Mohammad Zahir (b)(6) was the prosecutor for Ahmadabad District, Paktia

Three dead women (one of which was 8-9 months pregnant and lost the child):
(b)(6)
Daoud's Wife and (b)(6)
(b)(6)

MG Fatah, CID and the officials from Kabul continue to investigate the situation and working with the family member and the local leaders to maintain peace and order. They will conduct another Shura at 1430 today at the Zone HQ's to discuss the way ahead. We will have representatives at the Shura to listen and gather further details.

V/R

(b)(1)1.4a, (b)(3), (b)(6)

Classification: ~~SECRET~~
Caveats: No Caveat

(b)(1)1.4a
DECLASSIFY ON: 25 YEARS FROM DATE OF E-MAIL
DATE OF SOURCE: 1 MAY 2006

CLASSIFICATION: ~~SECRET~~
CAVEATS: NONE
TERMS: NONE

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From:	(b)(3), (b)(6)
To:	IJC Media Operations
Subject:	IJC PRESS RELEASE #054: Joint force operating in Gardez makes gruesome discovery (UNCLASSIFIED)
Date:	Friday, February 12, 2010 05:35:02
Attachments:	2010-02-CA-054-Joint force operating in Gardez makes gruesome discovery.pdf

Classification: UNCLASSIFIED
Caveats: NONE

2010-02-CA-054
For Immediate Release

Joint force operating in Gardez makes gruesome discovery

KABUL, Afghanistan (Feb. 12) - An Afghan-international security force found the bound and gagged bodies of three women during an operation in the Gardez district, Paktiya province last night.

The joint force went to a compound near the village of Khatabeh, after intelligence confirmed militant activity. Several insurgents engaged the joint force in a fire fight and were killed. Subsequently, a large number of men, women, and children exited the compound, and were detained by the joint force. When the joint force entered the compound they conducted a thorough search of the area, and found the bodies of three women who had been tied up, gagged and killed. The bodies had been hidden in an adjacent room.

The joint force immediately secured the area and requested expert medical support and will conduct a joint forensic investigation.

Eight men were detained for further questioning.

-30-

v/r

(b)(3), (b)(6)

Classification: UNCLASSIFIED
Caveats: NONE

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NATO says insurgents killed; family says civilians

Associated Press

By AMIR SHAH, Associated Press Writer Amir Shah, Associated Press Writer – Fri Feb 12, 4:40 am ET

KABUL – A joint Afghan-NATO force killed several insurgents during a raid on a compound where troops discovered the bodies of two men and two bound and gagged women, NATO said Friday. Family members accused U.S. soldiers of killing innocent civilians.

Afghan officials in Paktia province confirmed Friday they are investigating the deaths of five people in a home near the provincial capital of Gardez.

Police Chief Gen. Azizudin Wardak said the five — two men and three women — were killed Thursday night during a party. One of the men worked for the police, while the second man worked for the attorney general's office, he said.

"Who killed them? We still don't know," he said, adding the investigation is under way.

Civilian deaths during military operation are a hot-button issue in Afghanistan, and U.S. commanders have issued strict orders to limit the use of force when civilians are at risk. President Hamid Karzai has also called on NATO to stop night raids into private homes because they offend Afghan culture and help turn people away from the government and its allies.

The Interior Ministry sent a team Friday to Paktia to investigate the incident, indicating the high level concern over new allegations of civilian casualties.

NATO forces have pledged to "cooperate fully in this joint investigation," said Brig. Gen. Eric Tremblay, spokesman for the International Security Assistance Force.

In a statement, NATO forces said the operation took place Thursday night in the Gardez district after the joint force received reports of militant activity at a compound near the village of Khatabeh.

"Several insurgents engaged the joint force in a fire fight and were killed," the statement said, without saying how many had died. Then "a large number of men, women, and children" exited the compound and were detained by the joint force, it said.

An initial statement said the joint force searching the compound made a "gruesome discovery" — the bodies of three women who had been bound, gagged and killed. The bodies had been hidden in an adjacent room, the statement said.

But a second statement several hours later said the joint force found the bound and gagged bodies of two women and two dead men. There was no explanation for the initial discrepancy.

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Eight men have been detained for questioning, NATO forces said, adding that a joint forensic investigation will be conducted.

However, relatives of the dead accused American forces of being responsible for the deaths of all five people when contacted by The Associated Press by phone.

A man who identified himself as Hamidullah said he had been in the home as some 20 people gathered to celebrate the birth of a son when a group of men he described as "U.S. special forces" surrounded the compound.

When one man came out into the courtyard to ask why, Hamidullah said he watched U.S. forces gun him down.

"Daoud was coming out of the house to ask what was going on. And then they shot him," he said.

Then they killed a second man, Hamidullah said. The rest of the group were forced out into the yard, made to kneel and had their hands bound behind their back, he said, breaking off crying without giving any further details.

A deputy provincial council member in Gardez, Shahyesta Jan Ahadi, said news of the operation has inflamed the local community that believes the Americans were responsible for the deaths.

"Last night, the Americans conducted an operation in a house and killed five innocent people, including three women. The people are so angry," he said.

Ahadi said the operation had not included any Afghan forces, saying "The government didn't know about this."

"We strongly condemn this," he said, suggesting that locals might organize a demonstration to protest.

The Angry Arab News Service/بض اغ ا ي بـر ع ا ع ا بـن أ قل ا كو

A source on politics, war, the Middle East, Arabic poetry, and art.

Saturday, February 13, 2010

Innocent civilians? No way

"Several civilians were killed in Paktia Province on Friday when a joint Afghan-NATO force went to investigate a report of militant activity, but NATO and the Afghan police gave varying accounts of what happened." |

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have an idea. Let us launch an investigation which will invariably exonerate US occupation forces. Yalla.

www.trackpads.com **(CNN.com blogs)**
Bodies believed to be 'honor killing' victims

Bodies believed to be 'honor killing' victims
February 12th, 2010

KABUL, Afghanistan (CNN) - Four people found dead in a southeastern Afghan compound appear to be victims of an honor killing, a senior U.S. military official said on Friday.

The bodies were discovered during an operation by Afghan and NATO-led forces in Paktia province, a volatile region along the border of Pakistan. NATO's International Security Assistance Force said the bodies of two men and two women were found, with the women bound and gagged, and the U.S. official said the people were shot "execution-style."

An honor killing is a murder carried out by a family or community member against someone thought to have brought dishonor onto them. The U.S. official said it isn't clear whether the dishonor in this case stemmed from accusations of acts such as adultery or even cooperating with NATO forces.

"It has the earmarks of a traditional honor killing," said the official, who added the Taliban could be responsible.

Afghan and NATO officials are investigating the incident, which occurred in the village of Khatabeh in the province's Gardez district. The operation unfolded when Afghan and international forces went to the compound, which was thought to be a site of militant activity. A firefight ensued and several insurgents died, several people left the compound, and eight others were detained.

Paktia is the same province where a military base was the target of an assault that wounded five U.S. soldiers on Thursday, authorities said. Both the U.S. official and a Paktia province spokesman confirmed that a suicide attacker, apparently wearing police garb, carried out the action. The U.S. official said it may never be fully determined if the uniform was stolen or the bomber was a turncoat.

On December 30, a suicide attack on a U.S. base in Afghanistan killed seven CIA officers and a Jordanian army captain. The Pakistani Taliban claimed responsibility for the attack, also on a base in eastern Afghanistan.

–CNN's Barbara Starr contributed to this report.

aikenstandard.com

trusted local news

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Civilians flee Afghan town ahead of U.S. assault

2/12/2010 6:16 PM

Associated Press

NEAR MARJAH, Afghanistan (AP) -- Cars and trucks jammed the main road out of a besieged Taliban-held town on Friday as hundreds of civilians defied militant orders and fled the area ahead of an anticipated U.S.-Afghan assault.

Tribal elders pleaded for NATO to finish the operation quickly and spare civilians - an appeal that offers some hope the townspeople will cooperate with Afghan and international forces once the Taliban are gone.

Thousands of U.S. and Afghan troops have ringed the town of Marjah in Helmand province, poised to enter the farming community, drive off the Taliban and restore government control over a major insurgent supply base and opium-poppy center 380 miles southwest of Kabul.

Once the town is secured, NATO hopes to rush in aid and restore public services in a bid to win support among the estimated 125,000 people who live in Marjah and surrounding villages.

Although the Marjah operation began weeks ago with the movement of troops, U.S. commanders have not revealed when the main attack will take place. They have signaled their intention to attack Marjah for weeks in hopes that civilians would seek shelter.

The operation, which is under NATO auspices, is the first major offensive since President Barack Obama announced last December that he was sending 30,000 reinforcements to Afghanistan, and will serve as a significant test of the new U.S. strategy for turning back the Taliban.

Residents told The Associated Press by telephone this week that Taliban fighters were preventing them from leaving, warning the roads were planted with land mines to slow the NATO advance.

Nevertheless, the road between Marjah and the provincial capital of Lashkar Gah, 20 miles to the northeast, was jammed Friday with hundreds of cars and trucks filled with people fleeing ahead of the assault. Many said they had to leave quickly and secretly to avoid recrimination from Taliban commanders.

Some said they slipped out of town when Taliban commanders weren't watching.

"We were not allowed to come here. We haven't brought any of our belongings; we just tried to get ourselves out," said Bibi Gul, an elderly woman in a black headscarf who arrived in nearby Lashkar Gah with three of her sons. She left three more sons behind in Marjah.

Police searched the vehicles for any signs of militants, in one case prodding bales of cotton with a metal rod in search of hidden weapons.

"They don't allow families to leave," Marjah resident Qari Mohammad Nabi said of the Taliban. "The families can only leave the village when they are not seen leaving."

Provincial spokesman Daoud Ahmadi said about 450 families - an estimated 2,700 people - had already sought refuge in Lashkar Gah. Most moved in with relatives but more than 100 were being sheltered by the government, he said.

Ahmadi said the local government was prepared to shelter 7,000 families in nearby towns, providing them with food, blankets and dishes.

In advance of the attack, Afghan officials urged community leaders in Marjah to use their influence to persuade the Taliban to lay down their weapons and avoid a bloodbath. In return, the officials promised to improve the lives of the people there.

During a meeting Thursday, Helmand's governor, Gulab Mangal, urged tribal elders from the town to "use any avenue you have, direct or indirect, to tell the Taliban who don't want to fight, that they can join with us," according to the chief of Helmand's provincial council, Mohammad Anwar Khan.

For their part, the elders begged for limited use of airstrikes because of the risk of civilian deaths, Khan said Friday.

Another of the elders at the meeting, Mohammad Karim Khan, said he would not dare to approach the Taliban and

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tell them to give up their guns to the government.

"We can't talk to the Taliban. We are farmers and poor people and we are not involved in these things like the politicians are," said Khan, who is not related to the provincial council chief.

Instead, a group of 34 elders sent a letter Friday to the provincial government urging NATO forces to finish the operation in Marjah quickly and to avoid harming civilians. Abdul Hai Agha, an elder from Marjah, said local people were frightened and feared they would not be cared for after the Taliban are gone.

"We said in this letter that if you are doing this operation in Marjah, do it quickly," Agha told the AP by phone from the town.

The fact that the elders did not demand U.S. and Afghan troops call off the operation offered a glimmer of hope the townspeople will cooperate with the pro-government forces SEnD if the Afghan leadership is able to fulfill its promises of a better life without the Taliban.

U.S. officials have long complained that Afghan government corruption and inefficiency have alienated millions of Afghans and paved the way for the revival of the militant group after it was driven from power in the 2001 U.S.-led invasion.

One of the main drafters of the letter to government officials said he and others had been reaching out to local Taliban commanders.

"We have talked to some of the Taliban over the phone and we have told them: 'This is your country. Don't create problems for your fellow Afghans and don't go on a suicide mission,'" said Abdul Rehman Jan, an elder who lives in Lashkar Gah.

However, Jan said most of the Afghan Taliban have already fled the area. Militant commanders from the Middle East or Pakistan have stayed on "and they want to fight," he said.

U.S. intelligence officers estimate there are possibly up to 150 foreign fighters among the 400 to 1,000 Taliban militants in Marjah.

Elsewhere, villagers in the eastern province of Paktia accused a joint Afghan-NATO force of killing civilians during an overnight raid. NATO said it killed several insurgents on the compound and troops discovered the bodies of two men and two bound and gagged women inside the compound when they searched it.

Afghan officials in Paktia province confirmed Friday they are investigating the deaths of five people in a home near the provincial capital of Gardez.

Police Chief Gen. Azizudin Wardak said the five SEnD two men and three women SEnD were killed Thursday night during a party. One of the men worked for the police, while the second man worked for the attorney general's office, he said.

"Who killed them? We still don't know," he said.

Also Friday, the Taliban claimed responsibility for a suicide bombing on a U.S. military base a day earlier in Paktia near the Pakistani border that wounded five Americans.

The Paktia base is 400 miles northeast of Marjah.

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The more things change . . .

BEHIND THE HEADLINES WITH BUNN NAGARA

The fight against Taliban insurgents intensifies in Afghanistan, with no solutions yet from Iraq to Pakistan.

FOR US President Barack Obama, fighting Saddam Hussein's Iraq was the "wrong war" but attacking a Taliban-ruled Afghanistan that had been hosting al-Qaeda was the "right war".

The first was a "war of choice", being both unnecessary and diversionary, while the second was a "war of necessity" in fighting terrorism. Whether as presidential candidate or president, Obama is no pacifist, differing with his predecessor George W. Bush only in his sense of political geography.

Much US military action has thus moved from a post-Saddam Iraq to an Afghanistan beset with a Taliban insurgency, with how a war is defined relating to perceived US national interests. However, other people with similar security interests may well have very different perceptions. The most basic and immediate security interest is the safety of self and family, followed by that of the neighbourhood, community and nation. Increasing numbers of Afghans are daily being made aware of it, in being compelled to live through or die from it.

And yet even at the high cost of local Afghan lives continually at stake, some essential issues remain very unsettled. An all-too-common result is that people continue to be killed in their own homes, while both sides argue over the identities and actions of the deceased.

The US-led occupation forces in Afghanistan are now supposed to be more friendly to the residents, when several previous troop encounters with locals ended in the latter's murder. Typically, the occupying forces see a dead militant where bereaved families see an unjustly murdered relative or neighbour.

But what visible difference is there between a civilian and a militant? That difference is required to distinguish between life and death, or war and peace, yet in the course of combat no discernible difference may be apparent.

Militants wear no uniforms or insignia, practise no coded handshakes and carry no membership cards or other identifying documents. They are indistinguishable from local residents at point-blank range, notably to foreigners who have just parachuted in, and certainly to distant foreigners viewing neighbourhoods from grainy satellite pictures.

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Of course, militants may carry firearms, but so do locals for self-defence in a tough neighbourhood – as in the US. A Taliban insurgent is also Pashtun in ethnicity, but in areas populated mostly by Pashtuns that is another factor for confusion rather than clarification. Another Taliban characteristic is extremism in religious thought, but military equipment still does not include mind-reading machines.

Among the latest schemes is to work with "reformable" Taliban while targeting the others. But it is still unclear what method or mechanism can distinguish between "good" and "bad" Taliban, especially when they share an abhorrent ideology.

All this highlights the difficulties of waging war or occupying foreign land sensibly, and the unlikely prospect of changing course by avoiding attacks on civilian homes. Saying that the occupation forces are already doing it amounts to a political declaration rather than a statement of fact.

These issues have become most pertinent for Afghans in recent days as US-led Nato and Afghan forces wage the toughest battle against insurgents since the 2001 invasion of the country. This time the assault is for largely Pashtun, Taliban-controlled Marjah in Helmand province, with local politics complicated by the traditional mandates of tribal leaders.

As a sign of the precariousness of the situation, the Afghan Interior Minister visited the province on Thursday to speak personally to the tribal leaders. His main purpose was to persuade them to accept and support the US military action against Taliban insurgents.

The reply he received cannot be unexpected: support would depend on how the forces conducted operations and the consequences for the local people. If previous operations are any guide, the locals can expect to be disappointed, or worse.

That night, 20 people gathered in a house in Paktia province to celebrate the birth of a son. A family member said the house was suddenly surrounded by US special forces troops.

When one man in the party, a local policeman, went outside to investigate, he was shot. A witness said another man, a government employee, followed, and he too was killed; three women were also killed.

The occupation forces issued a statement to say that they had stumbled on the five dead bodies in the house, their hands bound. A few hours later they issued another statement saying they had discovered four bodies, with no explanation for the discrepancy.

Witnesses from the party told the Associated Press that the victims were executed after being ordered from the house, forced to kneel and had their hands tied. This incident added to a list of civilian deaths that include bombings of border villages by US drone aircraft.

If confusion between civilians and militants is a problem for locals, so is confusion between army troops and mercenaries among the occupation forces. The Pentagon of former Defence Secretary

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Donald Rumsfeld assigned insufficient troops to Iraq, and so came to rely on "private security contractors" to do the job.

The main differences between these mercenaries and regular troops were that the mercenaries were paid many times more by the US taxpayer, and were above both Iraqi and US law. The inevitable result was that Iraqis watched as the mercenaries implicated in civilian deaths got away with murder. That enraged so many Iraqis that Baghdad gave about 250 of the mercenaries who worked for Blackwater International until today to leave the country.

Meanwhile, Washington's practice of hiring mercenaries in place of assigning US troops continues in Afghanistan, and possibly Pakistan, in a new version of the "domino theory". Even US Republican leaders are now congratulating Obama for being more aggressive than Bush abroad. It makes for the best lessons yet in losing hearts and minds.

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warnewstoday.blogspot.com
War News for Friday, February 12, 2010

Afghanistan: "The Forgotten War"
#1: Taliban forces claimed responsibility Friday for an attack by a suicide bomber on a U.S. military base near the Pakistani border that injured five Americans. The attack occurred after sundown in a barracks at a U.S. facility in the Dand aw Patan district in Paktia province, about 35 miles (70 kilometers) east of the provincial capital Gardez, according to provincial government spokesman Roullah Samoun. A U.S. statement said "several" U.S. service members were injured in an explosion at a joint U.S.-Afghan outpost in Paktia but gave no further details.
The attack occurred about 400 miles (640 kilometers) northeast of the Taliban town of Marjah in southern Afghanistan which is under siege by U.S. and Afghan troops.

#2: A joint Afghan-NATO force killed several insurgents during a raid on a compound where

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troops discovered the bodies of two men and two bound and gagged women, NATO said Friday. Family members accused U.S. soldiers of killing innocent civilians. Afghan officials in Paktia province confirmed Friday they are investigating the deaths of five people in a home near the provincial capital of Gardez. Police Chief Gen. Azizudin Wardak said the five — two men and three women — were killed Thursday night during a party. One of the men worked for the police, while the second man worked for the attorney general's office, he said. "Who killed them? We still don't know," he said, adding the investigation is under way.

A man *who identified himself as Hamidullah said he had been in the home as some* 20 people gathered to celebrate the birth of a son when a group of men he described as "U.S. special forces" surrounded the compound. When one man came out into the courtyard to ask why, Hamidullah said he watched U.S. forces gun him down. "Daoud was coming out of the house to ask what was going on. And then they shot him," he said. Then they killed a second man, Hamidullah said. The rest of the group were forced out into the yard, made to kneel and had their hands bound behind their back, he said, breaking off crying without giving any further details. A deputy provincial council member in Gardez, Shahyesta Jan Ahadi, said news of the operation has inflamed the local community that believes the Americans were responsible for the deaths. "Last night, the Americans conducted an operation in a house and killed five innocent people, including three women. The people are so angry," he said.

patdollard.com

GTFO: Afghani Civilian Exodus On Eve Of Massive US Advance

February 12th, 2010 Posted By Erik Wong.

NEAR MARJAH, Afghanistan (AP) - Cars and trucks jammed the main road out of a besieged Taliban-held town on Friday as hundreds of civilians defied militant orders and fled the area ahead of an anticipated U.S.-Afghan assault.

Tribal elders pleaded for NATO to finish the operation quickly and spare civilians—an appeal that offers some hope the townspeople will cooperate with Afghan and international forces once the Taliban are gone.

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Once the town is secured, NATO hopes to rush in aid and restore public services in a bid to win support among the estimated 125,000 people who live in Marjah and surrounding villages.

Although the Marjah operation began weeks ago with the movement of troops, U.S. commanders have not revealed when the main attack will take place. They have signaled their intention to attack Marjah for weeks in hopes that civilians would seek shelter.

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The operation, which is under NATO auspices, is the first major offensive since President Barack Obama announced last December that he was sending 30,000 reinforcements to Afghanistan, and will serve as a significant test of the new U.S. strategy for turning back the Taliban.

Residents told The Associated Press by telephone this week that Taliban fighters were preventing them from leaving, warning the roads were planted with land mines to slow the NATO advance.

Nevertheless, the road between Marjah and the provincial capital of Lashkar Gah, 20 miles (30 kilometers) to the northeast, was jammed Friday with hundreds of cars and trucks filled with people fleeing ahead of the assault. Many said they had to leave quickly and secretly to avoid recrimination from Taliban commanders.

Some said they slipped out of town when Taliban commanders weren't watching.

"We were not allowed to come here. We haven't brought any of our belongings; we just tried to get ourselves out," said Bibi Gul, an elderly woman in a black headscarf who arrived in nearby Lashkar Gah with three of her sons. She left three more sons behind in Marjah.

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Another of the elders at the meeting, Mohammad Karim Khan, said he would not dare to approach the Taliban and tell them to give up their guns to the government.

"We can't talk to the Taliban. We are farmers and poor people and we are not involved in these things like the politicians are," said Khan, who is not related to the provincial council chief.

Instead, a group of 34 elders sent a letter Friday to the provincial government urging NATO forces to finish the operation in Marjah quickly and to avoid harming civilians. Abdul Hai Agha, an elder from Marjah, said local people were frightened and feared they would not be cared for after the Taliban are gone.

"We said in this letter that if you are doing this operation in Marjah, do it quickly," Agha told the AP by phone from the town.

The fact that the elders did not demand U.S. and Afghan troops call off the operation offered a glimmer of hope the townspeople will cooperate with the pro-government forces—if the Afghan leadership is able to fulfill its promises of a better life without the Taliban.

U.S. officials have long complained that Afghan government corruption and inefficiency have alienated millions of Afghans and paved the way for the revival of the militant group after it was driven from power in the 2001 U.S.-led invasion.

One of the main drafters of the letter to government officials said he and others had been reaching out to local Taliban commanders.

"We have talked to some of the Taliban over the phone and we have told them: 'This is your country. Don't create problems for your fellow Afghans and don't go on a suicide mission,'" said Abdul Rehman Jan, an elder who lives in Lashkar Gah.

However, Jan said most of the Afghan Taliban have already fled the area. Militant commanders from the Middle East or Pakistan have stayed on "and they want to fight," he said.

U.S. intelligence officers estimate there are possibly up to 150 foreign fighters among the 400 to 1,000 Taliban militants in Marjah.

Elsewhere, villagers in the eastern province of Paktia accused a joint Afghan-NATO force of killing civilians during an overnight raid. NATO said it killed several insurgents on the compound and troops discovered the bodies of two men and two bound and gagged women inside the compound when they searched it.

Afghan officials in Paktia province confirmed Friday they are investigating the deaths of five people in a home near the provincial capital of Gardez.

Police Chief Gen. Azizudin Wardak said the five—two men and three women—were killed Thursday night during a party. One of the men worked for the police, while the second man worked for the attorney general's office, he said.

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"Who killed them? We still don't know," he said.

Also Friday, the Taliban claimed responsibility for a suicide bombing on a U.S. military base a day earlier in Paktia near the Pakistani border that wounded five Americans.

The Paktia base is 400 miles (640 kilometers) northeast of Marjah.

UNITED STATES
DEPARTMENT OF DEFENSE
www.defense.gov

Afghan, International Force Kills Enemy Fighters
American Forces Press Service

WASHINGTON, Feb. 12, 2010 – An Afghan-international joint security force killed more than 20 enemy militants and captured more than five others during an operation today in Afghanistan's Farah province in pursuit of a Taliban commander believed to responsible for organizing suicide-bombing attacks.

The combined force targeted a series of compounds in Farah's Baghwa district near Tali Zardad after intelligence information indicated militant activity.

As the combined force approached one of the buildings in the targeted compound, a militant hiding inside tossed a grenade at them. After calling for the militant to surrender, the combined force attempted to enter the building, and the militant detonated a suicide vest he was wearing. No members of the combined force were harmed by the blast.

After the explosion, a large number of armed militants attempted to maneuver on the combined force. The combined force engaged the militants, killing more than 20 and wounding one. At least five other militants were captured and were detained along with the injured individual, who received medical treatment for his injuries.

In addition to the suicide vest and grenade used by the first militant, the combined force found a rocket-propelled grenade launcher, RPG rounds, grenades, a machine gun, multiple assault rifles and ammunition magazines, bomb components, handheld radios of a type often used by militants for communications and a heavy machine gun.

In the Mohammad Agha district of Logar province last night, a combined force searched a compound after intelligence indicated militant activity and captured a Taliban subcommander with ties to several militant networks believed to be responsible for bombing attacks.

Yesterday, a combined patrol discovered four mortar rounds and a 55 mm shell in one area and three 155 mm Russian-era artillery rounds in another area of Kandahar City.

No Afghan civilians were harmed during these operations, officials said.

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Meanwhile, Afghanistan's Interior Ministry and NATO's International Security Assistance Force are conducting a joint investigation into the suspicious death of four Afghan civilians found in eastern Afghanistan's Paktia province.

A combined force of Afghan and international troops last night found the bound and gagged bodies of two women and the bodies of two men during an operation in the province's Gardez district.

The force went to a compound near the village of Khatabeh after intelligence confirmed militant activity there. Several insurgents engaged the force in a firefight and were killed. Subsequently, a large number of men, women and children left the compound, and were detained by the force. Members of the combined force found the bodies inside.

The force immediately secured the area and requested medical support for a combined forensic investigation.

Eight men were detained for further questioning.

"ISAF continually works with our Afghan partners to fight criminals and terrorists who do not care about the life of civilians," ISAF spokesman Canadian army Brig. Gen. Eric Tremblay said. "The Interior Ministry of Afghanistan has sent a high-ranking delegation today to jointly investigate this incident. We will cooperate fully in this joint investigation and provide any assistance the Interior Ministry requires."

(Compiled from International Security Assistance Force Joint Command news releases.)

Dallas Morning News
UPDATE: WAR REPORT

07:18 AM CST on Friday, February 12, 2010
The Associated Press

BOMBERS KILL 32: Two suicide bombers struck outside a police complex Thursday in northwestern Pakistan, killing 15 people in the latest strike against security forces. Of the 15 dead in the town of Bannu, at least nine were police. On Wednesday, a suicide bomber killed 10 police officers and seven civilians in the Khyber tribal region near the Afghan border. The suicide bombings follow reports that the Pakistani Taliban's top commander, Hakimullah Mehsud, died from wounds sustained in a U.S. missile strike in mid-January.

AVALANCHE TOLL AT 171: Rescue teams continued digging through mounds of snow Thursday searching for avalanche victims as the death toll rose to 171. About 3,000 people had been rescued from the snowbound Salang Pass, a major route from the capital to northern Afghanistan. It was not known how many people might still be buried.

FIVE AMERICANS WOUNDED: A suicide attacker wearing a border police uniform blew himself up at a U.S. base in Paktia province, near the Pakistan border, wounding five Americans, officials said.

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The Associated Press

CNN.com

Bodies found gagged, bound after Afghan 'honor killing'

February 12, 2010 -- Updated 1824 GMT (0224 HKT)

Kabul, Afghanistan (CNN) -- Four people found dead in a southeastern Afghan compound appear to be victims of an honor killing, a senior U.S. military official said on Friday.

The bodies were discovered during an operation by Afghan and NATO-led forces in Paktia province, a volatile region along the border of Pakistan.

NATO's International Security Assistance Force said the bodies of two men and two women were found, with the women bound and gagged, and the U.S. official said the people were shot "execution-style."

An honor killing is a murder carried out by a family or community member against someone thought to have brought dishonor onto them.

The U.S. official said it isn't clear whether the dishonor in this case stemmed from accusations of acts such as adultery or even cooperating with NATO forces.

"It has the earmarks of a traditional honor killing," said the official, who added the Taliban could be responsible.

Afghan and NATO officials are investigating the incident, which occurred in the village of Khatabeh in the province's Gardez district.

The operation unfolded when Afghan and international forces went to the compound, which was thought to be a site of militant activity. A firefight ensued and several insurgents died, several people left the compound, and eight others were detained.

Paktia is the same province where a military base was the target of an assault that wounded five U.S. soldiers on Thursday, authorities said. Both the U.S. official and a Paktia province spokesman confirmed that a suicide attacker, apparently wearing police garb, carried out the action.

The U.S. official said it may never be fully determined if the uniform was stolen or the bomber was a turncoat.

On December 30, a suicide attack on a U.S. base in Afghanistan killed seven CIA officers and a Jordanian army captain. The Pakistani Taliban claimed responsibility for the attack, also on a base in eastern Afghanistan.

Meanwhile, more than 20 "enemy militants" were killed Friday by Afghan and international forces in the country's western region, NATO's International Security Assistance Force said.

The deaths occurred during an operation in Farah province targeting a Taliban commander thought to be responsible for planning suicide attacks, the military said.

When a militant threw a grenade at troops approaching a building, the forces called for his surrender, it said. The troops tried to enter the building when the militant detonated a suicide vest.

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After that blast, a large number of armed militants tried to confront troops, who killed the insurgents, the military said. One alleged militant was injured and five were detained, it said. Troops found weaponry, such as grenades, firearms and handheld radios.
Farah borders Helmand province, where international and Afghan troops are gearing up for a major assault on the Taliban.

Associated Press

Taliban claim responsibility in US base attack

By AMIR SHAH (AP) – 1 day ago

KABUL — Taliban forces claimed responsibility Friday for an attack by a suicide bomber on a U.S. military base near the Pakistani border that injured five Americans.

Taliban spokesman Zabiullah Mujahid said the attack Thursday night in eastern Afghanistan was conducted by an insurgent wearing the uniform of a border policeman.

"Last night, a Talib by the name of Mohammad Omar wore a border police uniform, entered the base and blew himself up," he told The Associated Press by phone.

The attack occurred after sundown in a barracks at a U.S. facility in the Dand aw Patan district in Paktia province, about 35 miles (70 kilometers) east of the provincial capital Gardez, according to provincial government spokesman Roullah Samoun.

Abdul Satar, an adviser to the Paktia Provincial Reconstruction Team, said a U.S. delegation from Bagram had been sent to investigate the incident Friday.

A U.S. statement said "several" U.S. service members were injured in an explosion at a joint U.S.-Afghan outpost in Paktia but gave no further details.

The attack occurred about 400 miles (640 kilometers) northeast of the Taliban town of Marjah in southern Afghanistan which is under siege by U.S. and Afghan troops.

On Dec. 30 a Jordanian believed to be a double agent blew himself up at a CIA base in another eastern border province, Khost, killing seven agency employees and a Jordanian intelligence officer.

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Taliban Claims Responsibility for Bombing

Taliban forces claimed responsibility Friday for a suicide bombing that wounded several U.S. soldiers.

The incident took place Thursday at a joint U.S.-Afghan military base in the eastern Paktia province, near the Pakistani border.

A spokesman for the provincial governor, Roullah Samoun, said five soldiers were wounded in the attack. U.S. military officials confirmed several U.S. service members were injured in a blast at a base in the east, but provided no other details.

Meanwhile, Afghan and coalition forces say they are investigating an incident in the Gardez district of Paktia province.

The forces released a statement Friday saying Afghan and international security force members found the "bound and gagged" bodies of two women, along with two dead men, in a compound in the district.

The statement says the bodies were found during a security force operation, late Thursday, that resulted in the deaths of several suspected militants and the detention of eight men.

An earlier statement said joint forces found the bodies of three "bound and gagged women" hidden in a room in the compound.

U.S. and Afghan forces are moving closer to the Taliban stronghold of Marjah in southern Helmand province in preparation for a major offensive.

Commanders hope to regain control of the town -- a major opium trafficking hub for the Taliban - and estimate they could face anywhere from a few hundred up to 1,000 Taliban fighters.

The New York Times

Afghanistan: Different Accounts Offered About Civilian Deaths

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Several civilians were killed in Paktia Province on Friday when a joint Afghan-NATO force went to investigate a report of militant activity, but NATO and the Afghan police gave varying accounts of what happened. A NATO statement said the joint force went to a compound in the village of Khatabeh, in the Gardez district, where insurgents opened fire on them from a residential compound. Several insurgents were killed and a large number of men, women and children fled and were detained by the NATO force. Inside the compound, soldiers "found the bodies of three women who had been tied up, gagged and killed," the NATO statement said. The Paktia Province police chief, Aziz Ahmad Wardak, confirmed the episode but said the dead in the house were two men and three women, who he said were killed by Taliban militants. He said the killings took place while the residents were celebrating the birth of a baby.

The New York Times

5 U.S. Soldiers Injured in Afghan Suicide Attack

Published: February 12, 2010

KABUL, Afghanistan — A suicide bomber wearing the uniform of an Afghan border police officer, who wounded five American soldiers on Thursday, was in fact a border police officer working for the Taliban, a Taliban spokesman said Friday.

The Taliban spokesman, Zabihullah Mujahid, was contacted by telephone. The attack took place at a joint Afghan-United States military base in the Pathan District of Paktia Province, according to Rahoullah Samoun, the spokesman for the governor of Paktia in eastern Afghanistan. A statement from the International Security Assistance Force, the American-led NATO force in Afghanistan, said that several American soldiers had been wounded but that there were no fatalities.

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On Dec. 30, in another eastern Afghan province, Khost, a Jordanian double agent attacked a C.I.A. base, killing seven Americans and a Jordanian. The Taliban claimed responsibility for that attack, too.

Elsewhere in Paktia Province, coalition officials and the Afghan police gave varying accounts of an episode in the Gardez District in which civilians were killed.

A statement from the coalition said Afghan and NATO forces had gone to a compound in the village of Khatabeh, where insurgents opened fire on them. Several insurgents were killed and a large number of men, women and children fled and were detained, the coalition said.

Inside the compound, the coalition said, soldiers "found the bodies of three women who had been tied up, gagged and killed." The Paktia provincial police chief, Aziz Ahmad Wardak, said the bodies of two men had also been found in the house.

The three women had been killed by Taliban militants, he said.

Maj. Matthew Gregory, a United States Army spokesman, said Friday that the two men inside the house were killed by coalition forces after they opened fire on a joint patrol.

RAWA NeWs

Villagers accuse US Special Forces for killing five civilians

Police chief General Azizudin Wardak confirmed that the five - two men and three women - were killed

An Afghan provincial official and villagers has accused US special forces on Friday of killing five civilians in a raid on a home near Gardez in Paktia province.

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Blood is seen near the footwear and a hairband inside a room where five members of an Afghan family were killed near Gardez, in Paktia province, south east Afghanistan, Friday, Feb. 12, 2010. (Photo: AP)

Gardez provincial council member Shahyesta Jan Ahadi said: "On Thursday night, the Americans conducted an operation in a house and killed five innocent people, including three women. The people are so angry."

A man who identified himself as Hamidullah said that he had been in the home as some 20 people gathered to celebrate the birth of a son when a group of men he described as "US special forces" surrounded the compound.

Saying he witnessed one man's death, Hamidullah said: "Daoud was coming out of the house to ask what was going on and then they shot him."

They then killed a second man, according to Hamidullah, who went on to say that the rest of the group were forced out into the yard, made to kneel and had their hands bound behind their back.

He broke off in tears, without giving any further details.

Police chief General Azizudin Wardak confirmed that the five - two men and three women - were killed on Thursday night during a party, but he said that he did not know the full details.

"Who killed them? We still don't know," he said.

He added that an investigation was under way.

In a statement, Nato said that its forces had killed "several insurgents" in Gardez district after the Western military alliance received reports of militant activity at a compound near the village of Khatabeh.

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From:	(b)(3), (b)(6)
Cc:	
Subject:	ISAF-MOI RELEASE-004-ISAF-MOI condemns discovery in Paktiya (UNCLASSIFIED)
Date:	Friday, February 12, 2010 08:20:49
Attachments:	20100212-NUI-3400-CA- MOI - ISAF condemns discovery in Paktiya.pdf

Classification: UNCLASSIFIED
Caveats: ~~FOUO~~

2010-09-CA-02-004

Afghan-International Security Force are Conducting a Joint Investigation into Incident in Paktiya

KABUL, Afghanistan (Feb. 12) - The Interior Ministry and the International Security Assistance Force (ISAF) are conducting a joint investigation in the incident in Paktiya province in the Gardez district near the village of Khatabeh today. A joint Afghan-international security force found the bound and gagged bodies of two women and dead bodies of two men in a compound during an operation last night.

"ISAF continually works with our Afghan partners to fight criminals and terrorists who do not care about the life of civilians. The Interior Ministry of Afghanistan has sent a high ranking delegation today to jointly investigate this incident. We will cooperate fully in this joint investigation and provide any assistance the Interior Ministry requires," said Brig. Gen. Eric Tremblay, ISAF Spokesperson.

The joint force went to a compound, after intelligence confirmed militant activity. Several insurgents engaged the joint force in a fire fight and were killed. Subsequently, a large number of men, women, and children exited the compound. Eight men were detained for further questioning.

Afghan and international security forces work together to eliminate the insurgents and terrorist threats and to ensure the safety and well-being of the Afghan people.
- ends -

Classification: UNCLASSIFIED
Caveats: ~~FOUO~~

Approved for Release

From:
To: (b)(1)1.4a, (b)(3), (b)(6)

Subject: Latest and Greatest

Ladies and Gentlemen,

We (myself, (b)(3), (b)(6)) just spoke with Deputy Governor Mangal and were told the following:

1. The DG, NDS Deputy and ANP Deputy are at the site of the incident – CF are no longer with them.
2. There will be NO PRESS CONFERENCE tonight. DG Mangal was ordered by the MOI to not conduct any media events until after the investigation.
3. The investigation is expected to be complete tomorrow.
4. The DG did speak with the media earlier today and passed along information in line with our talking points: the basic known facts, and that this is a joint operation/investigation. It is unclear whether this information was passed on before or after deputy provincial council member (b)(6) made his accusatory and erroneous remarks.
5. (b)(6) is not in Gardez... he's in Jalalabad, where he gave his remarks to a local AP stringer.

So, the press conference will happen no earlier than tomorrow. They will keep us informed of time/place and we'll send one of our RIAB DJs to cover the event.

Please let me know if you have any questions!

VR,

(b)(3), (b)(6)

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From:
To: (b)(1)1.4a, (b)(3), (b)(6)
Subject: NIPR docs
Date: Friday, February 19, 2010 15:53:04
Attachments: Interview with the detainees.docx
Gardez incident news clips.docx
Two embargoed RIAB Messages on (b)(1)1.4a *msg*
FW IJC PRESS RELEASE #054 Joint force operating in Gardez makes gruesome discovery (UNCLASSIFIED).msg
FW ISAF-MOI RELEASE-004-ISAF-MOI Investigation into Paktiya Incident (UNCLASSIFIED).msg

---

Here you go, sir. Lots of entertaining reading to put you to sleep tonight.

(b)(3), (b)(6)

From: (b)(1)1.4a, (b)(3), (b)(6)
Sent: Friday, February 19, 2010 7:44 PM
To:
Cc: (b)(3), (b)(6)
Subject: RE: [UNCLASSIFIED] RE: IO Question and Update

CLASSIFICATION: ~~SECRET~~
CAVEATS: NONE
TERMS: NONE

Sir,

I'm pretty sure that's what happened. The really bad part is (b)(3), (b)(6) at Salerno received them as well and didn't forward them. That tells me no one bothered to check the cc: line for accuracy.

One thing that kind of surprised me was the Khowst folks didn't ping us to let us know they'd gotten them.

How did the picture and awards ceremony go? Did they play (b)(3), (b)(5), (b)(6)

V/R

(b)(1)1.4a, (b)(3), (b)(6)

Approved for Release

SIPR: (b)(1)1.4a, (b)(3), (b)(6)

(b)(3), (b)(6)
Sent: Friday, February 19, 2010 14:58
To:
Cc: (b)(1)1.4a, (b)(3), (b)(6)
Subject: [UNCLASSIFIED] RE: IO Question and Update

UNCLASSIFIED / for 60 days

(b)(3), (b)(6)
This is the first I've ever seen these products. Did the originator mess up on who they were intending to send them to?

UNCLASSIFIED / for 60 days
The above classification labels were added to the message by Titus Labs Message Classification. For more information visit www.titus-labs.com

From: (b)(1)1.4a, (b)(3), (b)(6)
Sent: Friday, February 19, 2010 4:38 PM
To:
Cc: (b)(3), (b)(6)
Subject: IO Question and Update

CLASSIFICATION: ~~SECRET~~
CAVEATS: NONE
TERMS: NONE

Sir,

I'm at (b)(1)1.4a safely. I'm also working off the Investigating Officer's e-mail account (their network is different). Looks like I'll be leaving on 21 Feb, not tomorrow.

(b)(1)1.4a, (b)(3), (b)(5), (b)(6)

V/R

(b)(1)1.4a, (b)(3), (b)(6)

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(b)(1)1.4a

(Gardez)

IO actions:

- Attempted GIRoA/ANSF press conference to highlight the joint aspect of the Afghan/ISAF operation and investigation & refute erroneous news claims (nixed by MoI)
- No further messaging allowed through ISAF channels
- Localized KLEs by ISAF representative; very little coordination/SA with TM Paktya
- Swift detainee release was well received (but no messaging allowed)

Lessons Learned:

- Presenting a united front is critical IOT not drive a wedge between partnered elements
- Afghans will draw their own conclusions in the absence of of forthcoming information, leading to inaccurate reporting
    - Time is critical in pushing out an initial statement – don't need all details, just initial facts to quell media/civilian anger and get out factual information (stress ISAF/ANSF partnership, GIRoA was informed, joint investigation, etc)
- Need access to lessons learned from other CIVCAS incidents
- Need standardized 60-minute battle drill t/o JOC which emphasizes the importance/timeliness of IO efforts
- BN leadership and BDE leadership need to sync guidance
- Need to enforce info sharing/cooperative working relationship with third parties operating in battlespace; create IO plan prior to operations
    - Received a post-operation IO and mitigation plan six days later
- BN IO needs situational awareness of the IO actions taken by investigating officers, visiting media, etc
- Include requirements in the 60-minute battle drill for updates every ½ hour, hour, etc

BLUF: We lost the IO battle in our silence, and continue to fall further behind as we remain silent

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Interview with the detainees who are released today

1- How have you been treated at the detention center?
2- Question was from (b)(6) He said that I was treated very well by American troops at the detention facility.
3- Second question was from (b)(6) He also confirmed the he has been treaty very good by American soldiers at the detention facility and he added that I felt like home not like prisoner. Actually he was said that he was agreed and got happy at the prisoner.
4- Third question was from (b)(6). He said that I was treated very well by American soldiers and added that I had no problem when we were in custody.
5- Forth question was from (b)(6). He has also confessed that he was mannered like others at the detention center since they were detained from Sharabudin house in Gardez.
6- Fifth question was from (b)(6) He has said that I was treated and behaved very well at the detention center since he was detained by US-Special Forces.
7- Sixth question was from (b)(6) He also like others confirmed that he was treated very well by American soldiers and he says that we had not problems in the detention center since; they have been in detention center. On the other hand, (b)(6) also claimed that he was tortured by Special Forces at the first time when he was captured by American troops from the house in Gardez.
8- Seventh question was from (b)(6). He also said that he had no problem at the detention facility and added that he was treated very well by American troops. (b)(6) also claimed that he was tortured at the first time when he was captured by American troops.
9- Eighth question was from (b)(6) He said during our custody at the detention center, we had not any problems and spent several nights at the detention center without any problems and without any torment or torturing. (b)(6) also claimed that he was tortured at the first time when he was captured from the house in Gardez city few days ago.

Note: At the meantime, (b)(6) also claimed that their cell phones, one driving license, around 10,000 Pakistani Rupees has been lost; one of them claimed that $30, 00 is still missing.

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FOR IMMEDIATE RELEASE
PR # 2010-02-028
February 12, 2010

Afghan-Combined Force Find Three Women Dead, Kill Two Militants in Paktya

Kabul, Afghanistan – An Afghan-international combined force found the bodies of three local women after killing two militants during an assault in Paktya last night. The women appeared to have been dead for some time.

A combined Afghan-coalition force went to a compound near the village of Khatabeh, in the Gardez district after intelligence confirmed militant activity. As the assault force approached they were met with an imminent threat from the armed militants. The combined force engaged, killing two militants and wounding two others. None of the joint force was harmed in the assault.

During the subsequent search of the compound the security force found the bodies of three local women. There will be an investigation to determine the cause of death.

The joint force also found multiple weapons, including automatic rifles and a grenade.

The Taliban continue to kill innocent Afghan citizens through their indiscriminate attacks in marketplaces, schools and on public roads. Afghan and coalition forces partner to protect the Afghan people and to defeat all hostile Taliban organizations.

- 30 -

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KEY THEMES AND MESSAGES (NOT FOR RELEASE – FOR RESPONSE TO QUERY ONLY):

Coalition Forces are actively combating militant IED operations

Eliminating militant IED operations are a key focus for Coalition Forces. The highly indiscriminate nature of IED and suicide IED operations makes them a threat not only to Afghanistan's security forces and their Coalition partners, but also to innocent Afghan civilians. Afghan National Security Forces and their Coalition partners will continue to aggressively pursue those who would use these weapons to bring harm to civilians, attempt to destabilize the government and impede the overall development of the Islamic Republic of Afghanistan.

ANSF, Coalition Partnership vital to securing peace, stability in Afghanistan

Afghan National Security Forces and their Coalition Forces partners have made great strides in combating the enemies of the Islamic Republic of Afghanistan. That continued partnership is a key element to defeating those who would threaten innocent Afghans and their way of life. Together, ANSF and their Coalition partners are striving to ensure a secure, stable and prosperous future for the people of Afghanistan.

Cultural, Religious sensitivities

Coalition Forces remain keenly aware of all cultural and religious sensitivities of our host country. To the fullest extent possible, all religions, religious symbols, edifices and practitioners are treated with the appropriate respect.

Protection of non-combatant civilians during operations

Coalition Forces take every precaution to ensure non-combatant civilians are protected from possible hostilities during the course of every operation. An example of these precautionary measures includes but is not limited to temporarily relocating non-combatant civilians away from probable hostilities. Coalition Forces also ensure any weapons or explosives found during operations are removed or destroyed to ensure non-combatant civilians are not inadvertently harmed.

Destruction of weapons caches

Non-combatant civilian safety and security are at the forefront of every Coalition Forces' operation. With this in mind, Coalition Forces destroy weapons and explosives caches to prevent accidental harm to non-combatant civilians who may discover the items. Additionally, destruction of the weapons and explosives ensures militants are denied the use of the items to bring harm to innocent Afghan people or Afghan National Security and Coalition Forces.

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QUESTIONS AND ANSWERS (NOT FOR RELEASE – FOR RESPONSE TO QUERY ONLY)

Q: Was anyone injured or killed?
A: There were two militants killed and one wounded.

Q: What are the names of the detainees?
A: Militants often go by several different aliases so it can be difficult to determine their identities until we thoroughly question and individually process them for detention.

Q: Did this operation involve any airstrikes?
A: No. Coalition forces did not use any close air support.

Q: Were any women or children present?
A: There were one women and two children protected.

Q: Where were the participating units from?
A: To protect possible future operations, we will not discuss the staging location or composition of forces.

Q: How many personnel participated in the operation?
A: In the interest of preserving operational security, we do not discuss the specific details of forces in use during a mission.

Q: What kind of damage was done to the compound?
A: There was minor damage to the compound.

Q: How and when were the three women killed?
A: The women were found when the force entered . It appeared they had been dead for some time. There will have to be an investigation to determine cause and approximate date of death.

Approved for Release

From:
To: (b)(1)1.4a, (b)(3), (b)(6)
Cc:
Subject: RE: CIVCAS crisis mitigation ~~(SECRET)~~
Date: Wednesday, February 17, 2010 11:18:57
Attachments: (b)(6) 12 FEB 2010 Gardez District of Paktya Province.msg

---

CLASSIFICATION: ~~SECRET~~
CAVEATS: NONE
TERMS: NONE

(b)(3), (b)(6)

Attached is Post Op Mitigation product (b)(1)1.4a ***Post Objective, 11 - 12 FEB 2010, Gardez District of Paktya Province)*** email.
Please keep in mind that these talking points and civil affairs recommendations are provided for discussion with GIRoA officials and non-media key communicators. ***They are not intended for media engagements or discussions with U.S. audiences.*** *Seek guidance from PAO personnel prior to any discussions with media representatives.*

Hopefully, you should have already received these. (either directly or via (b)(1)1.4a – if not, I'll need updated emails to get you on distro)

The investigation is ongoing and results will be published when complete. Unfortunately, I can't help w/ the (b)(6) mandate. I do understand your position, and our IO shop works quickly to push releasable info out to the BSOs/PRTs for Post Op Mitigation/Consequence Management.

R,

(b)(1)1.4a, (b)(3), (b)(6)

From: (b)(3), (b)(6)
Sent: Wednesday, February 17, 2010 9:22 AM
To: (b)(1)1.4a LNO
Subject: FW: CIVCAS crisis mitigation ~~(SECRET)~~

Classification: ~~SECRET~~
Caveats: No Caveat

Sir,

(b)(3), (b)(5), (b)(6)

Approved for Release

From: (b)(1)1.4a, (b)(3), (b)(6)
To:
Subject: RE: Phone Number
Date: Friday, February 19, 2010 15:41:59

Sir,

I'll transfer it over. There was no denial of the erroneous statements... and there were a lot of erroneous statements (the whole bombardment thing on the objective, for example). It's basic PA knowledge that in an information void, people will draw their own conclusions, truthful or not. That's something brigade and CJTF obviously don't understand.

NIPR files coming soon...

VR,

(b)(3), (b)(6)

From: (b)(1)1.4a, (b)(3), (b)(6)
Sent: Friday, February 19, 2010 7:18 PM
To: (b)(3), (b)(6)
Subject: RE: Phone Number

CLASSIFICATION: ~~SECRET~~
CAVEATS: NONE
TERMS: NONE

(b)(1)1.4a, (b)(3), (b)(5), (b)(6)

Thanks,

(b)(1)1.4a, (b)(3), (b)(6)

Approved for Release

From:
To:

(b)(1)1.4a, (b)(3), (b)(6)

Cc:

Subject: (b)(1)1.4a 11 - 12 FEB 2010, Gardez District of Paktya Province
Date: Friday, February 12, 2010 09:55:31
Attachments: Post Obj Mitigation 11 FEB 10 - (Paktya)(Gardez).docx
(b)(1)1.4a ~~(REL ISAF)~~ - 11 FEB 10.ppt

CLASSIFICATION: ~~SECRET//REL TO USA, ISAF~~
CAVEATS: NONE
TERMS: NONE

ALCON,

Attached are the post-operation products for the operation in Paktya last night.
Please call with any questions or concerns.

V/r,

(b)(1)1.4a, (b)(3), (b)(6)

Approved for Release

(b)(1)1.4a

DECLASSIFY ON: 25 YEARS FROM DATE OF E-MAIL
DATE OF SOURCE: 1 MAY 2006

CLASSIFICATION W/O ATCH: ~~SECRET~~
CAVEATS W/O ATCH: NONE
TERMS W/O ATCH: NONE

CLASSIFICATION: ~~SECRET//REL TO USA, ISAF~~
CAVEATS: NONE
TERMS: NONE

Approved for Release

From:
To: (b)(3), (b)(6)

Subject: (b)(1)1.4a Press Releases for 12 Feb 10
Date: Friday, February 12, 2010 05:39:04
Attachments: KANDAHAR-12 Feb 10 PRESS RELEASE.doc
LOGAR-12 Feb 10 PRESS RELEASE.doc
PAKTYA-12 Feb 10 PRESS RELEASE.doc

The (b)(1)1.4a press releases for 12 Feb are attached. Please contact us if you have any questions.

(b)(1)1.4a, (b)(3), (b)(6)

Approved for Release

From:	(b)(3), (b)(6)
To:	
Cc:	
Subject:	Two embargoed RIAB Messages on (b)(1)1.4a
Date:	Thursday, February 18, 2010 16:36:24
Attachments:	100217 - Draft IO Message of Condolences regarding (b)(1)1.4a with Pashto Translation.doc 100216 - Detainee Release IO Message with Pashto Translation.doc

Gentlemen, as requested, here are the two messages we have so far produced and translated. It's coming on NIPR since that is how we deliver our messages to the RIABs. There is no unclassified information in them and they contain no operational details that have not already been exhaustively reported in the Afghan press.

We look forward to receiving your guidance and approval so we can finally get our side of the story out. Thank you.

Very Respectfully,

(b)(1)1.4a, (b)(3), (b)(6)

Approved for Release